

In The United States District Court
For The Southern District of Mississippi

Holloway

Plaintiff

vs

case no. 5:21-cv-63-KS-RHWR

Middlebrooks et al

Defendant(s)

Plaintiff's Complete Amended
Complaint With Jury Demand

I Jurisdiction + Venue

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of state law, of rights secured by the United States Constitution and the Mississippi Constitution. The Court has jurisdiction under 28 U.S.C. Section 1331 and 1343 (a)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section(s) 2201 and 2202. Plaintiffs' claims for injunctive relief are authorized by 28 U.S.C. section(s)

2283 AND 2284 AND Rule 65 of the Fed. R. C.P.
The plaintiff also seeks damages. The plaintiff
also alleges the torts of negligence under
Mississippi Law.

II Plaintiff

2. Plaintiff, Jason Holloway, is AND was at
all times mentioned herein a prisoner of the
State of Mississippi in the custody of the
Mississippi Department of Corrections (M.D.C.)
He is currently confined at the Wilkinson
County Correctional Facility (W.C.C.F.). He has
been housed at WCCF since Feb. 25th 2021 AND
he is still currently housed at W.C.C.F.

III Defendants

3. Defendant, Scott Middlebrooks is the former
warden of W.C.C.F. AND he is tasked with the
orderly running of the facility AND making
sure that the plaintiff receives adequate medical

care, that is medical ordered diet is followed, that he receives fair hearings at his disciplinary hearings, that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his firm religious belief and that there is adequate staff to safely run the prison.

4. Defendant, Dr. J. Burke is the medical doctor at W.C.C.F. And has the task to make sure the plaintiff receives adequate, timely medical, dental, and mental health treatment.
5. Defendant, Unknown former H.S.A. Saint Julian is the former Health Service Administrator (H.S.A.) And is responsible for making sure the medical department has adequate staff And that plaintiff receives adequate medical, dental, and mental health treatment.
6. Defendant, Management & Training Corporation (M.T.C.) is a for profit organization And is contracted with M.D.O.C. to operate. And run

W.C.C.F. M.T.C. is responsible for making sure that it properly as adequate staff to operate and safely run the prison. M.T.C. has failed to adequately staff W.C.C.F. and has failed to train, supervise, and provide adequate staff to operate and run W.C.C.F.

7. Defendant, Unknown Dunmore, is the former kitchen supervisor at W.C.C.F. she is responsible for making sure that the plaintiff received his prescribed medical ordered diet and receives adequate nutrition on his trays.

8. Defendant, D. Anthony is the Chaplain at W.C.C.F. and is responsible to make sure that the plaintiff gets to practice his religion as a Muslim and his Islam faith.

9. Defendant, George Castro is the former Deputy Warden at W.C.C.F. and he is responsible for the orderly running of the facility and make sure the plaintiff gets adequate medical,

pg 5 of 34

dental and mental health care, that his medical ordered diet is followed, and that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his religious belief, and that there is adequate staff to properly and safely run the facility

10. Defendant, William DeRevere is the Deputy Warden at W.C.C.F. and is responsible for the orderly running of the facility, and making sure the plaintiff gets adequate medical, dental, and mental health care, that his medical ordered diet is followed, and that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his religious belief, and that there is adequate staff to properly and safely run the facility.

11. Defendant, Vital Core Health Strategies is the contracted medical company with M.D.O.C. They are responsible for making sure the plaintiff is provided with adequate medical, dental and

pg 6 of 34

mental health treatments. That there is adequate staff to provide proper medical care.

12. Defendant, Unknown Ware is the disciplinary investigator at W.C.C.F. She is responsible for getting witness statements and investigating the Rule Violation Reports (R.V.R.)

13. Defendant, Unknown J. Penndleton is the disciplinary hearing officer. She is responsible for looking at the evidence gathered by the investigator, and giving the plaintiff a fair and partial hearing.

14. Defendant, Unknown D. Vannoy is the Warden at W.C.C.F. He is responsible for the orderly running of the facility. For making sure the plaintiff gets adequate medical, dental and mental health care, that his medical ordered diet is followed, that he is able to practice his religion, that he gets to scheduled medical appointments, that all policies are being followed, and that there is adequate

pg 7 of 34

staff to properly and safely run the facility.

15. Defendant, Sgt. Joseph Hall is a correctional sergeant at W.C.C.F. He is responsible for doing the drug testing here at W.C.C.F.

16. Defendant V. Day is the Unit Manager at W.C.C.F. She is responsible for making sure that her units are properly runned. By making sure the plaintiff gets adequate medical treatment, gets to practice his religion, gets medical ordered diet, gets to scheduled medical appointments, And has adequate staff to properly and safely run her units, and provide plaintiff with medical ordered chair.

17. Defendant UNKNOWN Sgt. Reese is the Unit Zone Sergeant and zone counselor. She is responsible for making sure the zones are run properly. By making sure the plaintiff gets to scheduled medical appointments, gets to practice his religion, gets medical ordered diet and chair for cell, And has adequate staff to properly run her zones.

18. Defendant, Unknown Nurse Robinson is a nurse at W.C.C.F. She is responsible to make sure that the plaintiff gets adequate medical, dental, and mental health treatment. She is also responsible for ordering the plaintiff's prescribed medications.
19. Defendant, Unknown Mrs Taylor is the medical clerk here at W.C.C.F. She is responsible for scheduling of sick call and other medical appointments and for ordering the plaintiff's medical shoes and other supplies. For making sure the plaintiff gets scheduled and seen in a timely manner.
20. Defendant, Unknown Officer Boyd is a correctional officer at W.C.C.F. where she works in medical. She is responsible for making sure the plaintiff gets to all scheduled medical appointments as she is the escort officer for transporting the plaintiff to and from medical.

pg 9 of 34

21. Defendant, Unknown Ms. Hunt is the current kitchen supervisor at W.C.C.F. She is responsible for making sure that the plaintiff receives adequate nutrition on his trays and that his medically ordered diet is properly followed.
22. Defendant, Laura Donnelly, R.D. is the former dietitian at W.C.C.F. She is responsible for making sure the plaintiff receives adequate nutrition and that the plaintiff's medical ordered diet is followed.
23. Defendant, Ellen Ossorio, R.D., MS, LDN, is the current dietitian and is responsible for making sure the plaintiff receives adequate nutrition and that the plaintiff's medical ordered diet is followed.
24. Defendants, Jane and John Does 1-100 are other M.T.C., MDOC, Vital Core Health Strategies, or W.C.C.F. employees that the plaintiff is

unaware of at this time, who could also have been ~~are~~ currently are responsible for the violations of the plaintiff's constitutional rights.

25. All of the named defendants in this case are being sued in both their individual and official capacities.

IV Facts of the Case

26. The plaintiff was transferred from C.M.C.F. to W.C.C.F. around Feb. 25th 2021. Upon arriving at W.C.C.F. during the intake process the plaintiff advised the medical personnel of all his medical and mental health issues. The plaintiff also Case Manager Duker during intake that he was of the Islam Faith that he had changed his religion at C.M.C.F. in 2019. The plaintiff was placed in a holding cell for about 7 days then taken to segregation on or around March 1st 2021 pending protective custody.

Around March 30th 2021 I was moved from segregation to C, D, E housing unit and was placed on Echo Pool on Protective Custody (P.C.) cell 204. Since then have been moved to cell 206 and am currently in Echo cell 207.

V Denial of Medical Care

27. The plaintiff turned in sick calls to the nurses while housed in segregation on the following dates to the best of my knowledge: 3-1-21, 3-3-21, 3-10-21, 3-17-21, the plaintiff turned in approx 8 sick calls while he was housed in segregation and never got seen for none of them.

28. Around 3-25-21 I sent a inmate request to defendant ~~Sgt~~ Julian the former H.S.B. about not getting seen for sick-calls and not receiving my prescribed medication. Never got a response to this request.

pg 12 of 34

29. Around 3-28-21 I submitted my ARP about the denial of medical and mental health care. I was never seen for any sick calls for the whole time I was in segregation from 3-1-21 - 3-31-21. I completed the ARP process around July 2nd 2021. (See Exhibit #1)

30. On or around 4-1-21 I was finally taken to medical and seen by defendant Saint Julian the former H.S.A. she only seen me for two (2) of my sick calls and didn't do nothing but tell me that I would be seen by Defendant Burke's the next day.

31. I was never taken to see the Dr. the next day after making several request nor was I seen by him for a whole other (2) two months. After being referred to him.

32. Around 6-14-21 Defendant Middlebrooks came around the Unit and I talked to him about me not being seen for my sick calls or getting to my appointments. He typed something

into his phone And told me he would take care of it,

33. Around 6-16-21 I was finally seen for the first time by Defendant Burke's And he ordered an X-Ray of my leg and ankle where the screw seems to be coming out. He gave me a breathing treatment. He didn't do anything else but try to rush and see me and get me out of his office.

34. On 6-18-21 I was taken back to medical and a X-Ray was taken and once again I asked Dr. Burke's for something for pain and about ordering my medical shoes.

35. Since the filing of this complaint and until now the plaintiff has filled out numerous more sick calls and have been seen for only a portion of them. The plaintiff is still not being seen in a timely manner for his sick calls and is still not receiving adequate medical, dental or mental

pg 14 of 34

health care

36. The delay And inadequate medical, dental, and mental health care at W.C.C.F. violates the plaintiff's Constitutional Rights of the 8th Amendment. The plaintiff is still in much pain in his leg due to the rod and screws. Its hard for me to put pressure on my left leg or even walk at times. And is still not receiving adequate medical, dental and mental health care.

IV Denial of Religion

37. When the plaintiff arrived at W.C.C.F. on 2-25-21 during the intake process when case manager Dukes was doing my intake she asked me what my religion was. I told her I was of the Islam Faith that I had changed my religion at C.M.C.F. in 2019 And started practicing Islam.

38. Upon arriving And being housed at W.C.C.F.

pg 15 of 34

I sent out several inmate request forms to the Chaplains Department And to the Kitchen advising them that I was of the Islam faith And that Ramadan was approaching And that I wished to participate in Ramadan.

39. When Ramadan started the plaintiff was told that he was not on the list to participate in Ramadan. So the plaintiff still fasted as required for the month of Ramadan. During Ramadan I am required to eat before sunrise and not again until after sunset. Ramadan started April 13th 2021 and ended May 13th 2021.

40. Since the plaintiff was not on the list to participate in Ramadan his trays were served with the other inmates. Which most of the times were delivered after the sun came up and before the sun went down. During this time the plaintiff saved what he could off of each tray and ate it at the appropriate time. Which was very little causing the plaintiff to suffer from severe

weight loss, stomach cramps from hunger, AND mental AND emotional distress,

41. The plaintiff was seen by Dr. Burke on 6-16-21 AND because of the severe weight loss the plaintiff had suffered from fasting AND not being able to eat during Ramadan Dr. Burke ordered me a special diet tray. That tray being a Nutrition Support tray which is suppose to have more nutrition than the regular trays served to the other inmates, (See Exhibit # 2) (See also Exhibit # 3) which is were the diet tray had to be reordered cause the plaintiff is still under weight.

42. The plaintiff filed his ARP concerning the denial of his religion. When the plaintiff filed his original ARP he attached to it a copy of his change of religion form that was done at CimCifi. But the Chaplain AND Warden said that they didnt have a copy on file which they do. The ARP process was complete on 7-14-21 (See Exhibit # 4).

pg 17 of 34

VII Furnishings

43. The plaintiff is on P.C. And is a closed custody (C-Custody Status) inmate. Being a C-Custody inmate the plaintiff is only allowed out of his cell for 1 hour a day 5 days a week. On the weekends and holidays he is locked in his cell with another inmate 24 hours a day. All other times the plaintiff is locked in his cell for 23 hours a day.

44. The cell the plaintiff is confined in consist of a toilet, a sink, a light, a door with a small window and tray slot, and a set of bunk beds. There is no table or chair in his cell or any other cell. I am either forced to sit on the floor, sit or lay on my rack, or stand up, which he has to do to watch T.V. at the cell door window. There is no place to sit and write or do legal work and write letters etc.

45. The plaintiff does lots of writing, legal work, and research, along with correspondence and

pg 18 of 34

college courses that are outside of the facility that I'm voluntarily taking to better myself.

In order to write, do research or legal work the plaintiff is forced to either sit on the floor or sit on his rack to do these things.

46. Being forced to sit either on the floor or on the bed to write and do legal work hunched over for hours writing and do legal work has caused me to suffer severe back pains in my lower and upper back.

47. I have had to fill out several sick calls to get pain meds for my back and even had a X-Ray done on it because of the severe pain that having no place to sit and write has caused me.

48. I filed an AWP about this only to be told that no table will be installed in the cells and could only receive a chair if it was an order from the doctor. (See Exhibit # 5).

pg 19 of 34

49. Since the filing of this ARP and the response from Defendant VANNOY about the chair I have been given a chair profile by the doctor. Even with the chair profile I still have not been provided with a chair AND I'm still having to hunch over and write and stuff which is still causing me severe back pains (See Exhibit #6)

VIII Denial of Adequate Nutrition and failure to follow Ordered Medical Diet

50. The plaintiff has a severe allergic reaction to corn products has he told the medical staff upon his arrival at W.C.C.F. The plaintiff had a order from C.M.C.F. Showing that he was to have no corn products on his tray.

51. There was An order done by Dr. Burke before I was put on the nutrition support diet but every diet order had allergied to Corn or no corn products wrote on them But there is still being corn products placed on my tray. (see Exhibits 2, 3, 7 & 8)

pg 20 of 34

52. There is not enough nutrition on my trays to comply with the ordered diet. The corn products constantly being put on my tray and when there not put on the tray I get nothing to substitute for the corn products. This causing me not to get the ordered amount of calories.
53. The trays do not have the adequate amount of food on them. Nor do I get everything that is on the menu that is suppose to cover the amount of protein, nutrition and calories that I'm suppose to have. I'm to receive everything on the menu with the proper portion of food being served. (See Exhibits 2, 3, 7, 8, 9, & 10)
54. The staff does not monitor the feeding of the plaintiff or other inmates. The tray cart is rolled on the zone and floorwalkers pass the trays out. So when the plaintiff diet tray is not on the cart or not correct (has corn products on it) the plaintiff has no way to send it back to get it fixed, so he has to miss portions of his meal or the whole

pg 21 of 34

if corn products seem to have touched other food on the tray. This also causing me stomach pains from hunger and weight loss.

IV Drug Testing

55. The plaintiff has been drug tested numerous times here at WCCF. Defendant Sgt. Joseph Hall does not follow MDAC policy when it comes to doing the drug test. By him not following policy it has caused the plaintiff to get several RVR's. (See Exhibits 11-13)

56. According to policy when an offender can't produce urine he is suppose to be detained for up to 4 hours. After he has been detained for 4 hours if the offender still can't produce urine he then recieves a RVR for refusing to submit to a drug test (See Exhibit # 14)

57. Defendant Joseph Hall has wrote me several RVRs for refusing to submit to a drug test, when I wasnt

refusing, I just couldn't produce urine on command and asked Hall each time to either detain me or come back and test me. He always refuses and just writes me up for refusing. This causing me to be placed on restriction and keeping me in C-custody. If it wasn't for the RVR's for Hall not following policy I would have my B-custody pants and not be on restrictions.

58. I filed about Hall not following policy through the ARP process and Defendant Vannoy said that Hall was following policy according to Hall's statement, but camera's and other statements from other inmates clearly shows that policy is not being followed. (See Exhibit # 15)

X Denial of Due Process

59. The plaintiff has been denied his right to Due Process at each and every disciplinary hearing he has had since being housed at WCCF all because WCCF staff and defendants refuse to follow

policy, If they would follow policy like they should these violations wouldn't occur.

60. According to policy a RVR is to be wrote and served on the offender within 24 hours of the time of the violations. The delivering employee will document the offender's request for investigation, list witnesses on the RVR and indicate whether the offender wants his hearing.

61. Policy also states that when a RVR is reported the disciplinary investigator will begin the investigation within 24 hours of the same time the rule violation is reported and complete it without reasonable delay.

62. The investigator will be neutral and unbiased in conducting interviews gathering information, in seeking the truth, the investigator will interview the accused, and any other persons considered having pertinent informations, the investigator will provide factual information, have access to all information, and

pg 24 of 34

will receive cooperation from all personnel. Any staff member called as a witness will not refuse to give a statement.

63. Policy states that the offender charged with a RUR will be allowed to present documentary evidence and call defense witnesses

64. Policy states that disciplinary hearings are conducted by an impartial person or panel of persons, the hearing officer will hear all pertinent information surrounding an alleged rule violation, will question the accused offender, witnesses and any other person appearing at the hearing.

65. Policy, procedure, and practice provide that inmates have an opportunity to make a statement, present documentary evidence and request witnesses.

66. Policy, procedure, and practice provide that the disciplinary committee's decision is based solely on information obtained in the hearing process, including

pg 25 of 34

staff reports, the statements of the inmate charged, And evidence derived from witnesses And documents.

67. Written policy, procedure, And practice provide for review of all disciplinary hearings And dispositions by the warden/superintendent or designee to assure conformity with policy And regulations (See Exhibit # 16)

68. If these policies would have been followed the plaintiff would not have been found guilty of the RVR's And would not be punished for the failure of defendants not following policy.

69. The plaintiff requested witnesses And they were not called to the hearing or allowed to give a statement on the plaintiff's behalf. One of them being a correctional officer. (See Exhibits 11, 12, 13, 17 + 18)

70. There was no full investigation done. If there would have been it would have proved that defendant Hall didn't follow policy And that the RVR was bogus.

pg 26 of 34

71. Since policies were not followed the plaintiff was denied his Due Process rights. That's the whole reason for policies is to keep inmates from having their constitutional rights violated.

XI Exhaustion of Administrative Remedies

72. The plaintiff has exhausted his administrative remedies with respect to all claims and all of the named defendants in this case. (see Exhibits 1, 4, 5, 7, 8, 15, 17, and 18)

XII Claims For Relief

73. The actions of defendants Middlebrooks, Vannoy, M.T.C., Dr. Burke, HSA Saint Julian, Vibal Core Health Strategies, DeRevere, Castro, Day, Reese, Boyd, Taylor and Robinson in failing to get the plaintiff to his required medical appointments, the delay in seeing the plaintiff, ignoring his request, and not providing the plaintiff with adequate medical, mental health and dental care, constitutes deliberate indifference

pg 27 of 34

to the plaintiff's serious medical needs.

74. The actions of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Anthony, Day, Reese and Jane & John Does in denying the plaintiff to participate in Ramadan and practice his religion constitutes the denial of religion under the First Amendment of the United States Constitution. And under the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) U.S.C.S. § 2000cc to 2000cc-5.

75. The actions of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day, and Reese for denying the plaintiff a table, and chair in his cell causing him to suffer severe back and leg pains. Constitutes cruel and unusual punishment under the Eighth Amendment to the United States Constitution.

76. The actions of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day, Reese, Dunmore, Hunt, Donnelly, Ossorio, and Jane & John Does for not

providing the plaintiff with adequate nutrition and failing to follow the prescribed diet of the doctor constitutes cruel and unusual punishment under the Eighth Amendment of the United States Constitution.

77. The actions of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Hall, Pennelton, Ware, and Jane and John Does for not following policy during drug testing, and disciplinary proceedings constitutes cruel and unusual punishment and denial of Due Process under the Eighth and Fourteenth Amendments of the United States Constitution.

XIII Relief Requested

Wherefore, plaintiff requests that the court grant the following relief:

A. Issue a declaratory judgment stating that!

1. The denial of adequate medical, mental, and dental care from defendants Middlebrooks, Vannoy, M.T.C. DeRevere, Castro, Burke, Julian, Robinson, Taylor, Vital Core, Boyd, Day and Reese violated and continue to violate, the plaintiff's rights under the Eighth Amendment of the United States Constitution.
2. The denial of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day and Reese for not providing the plaintiff with a table and chair. Violated the plaintiff's and continue to violate the plaintiff's Constitutional rights under the Eighth Amendment of the United States
3. The denial of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Anthony, and Jane and John Does for not allowing the plaintiff to participate in Ramadan or practice his religion violated and continues to violate the plaintiff's First Amendment Right under the United States Constitution

pg 30 of 34

4. That defendants Middlebrooks, Vannoy, MITCH, DeRevere, Castro, Pennelton, Ware, and Hall for not following policy and not allowing plaintiff to call witnesses or ~~doe~~ a thorough investigation and have a fair hearing at his disciplinary hearings violated and continue to violate the plaintiff's Eighth and Fourteenth amendment of cruel and unusual punishment and Due Process rights of the United States Constitution.

B. Issue an injunction ordering defendants, or their agents to:

1. Immediately arrange for the plaintiff to be seen by a orthopedic specialist for the removal of the steel rod and pins in his left leg,
2. Carry out without delay the treatment directed by such medical practitioner,
3. Provide plaintiff with adequate and timely medical,

pg 31 of 34

mental health and dental care.

4. Order the defendants to install tables and chairs in the cells for the plaintiff.
5. Order defendants to expunge all RVR's since arriving at W.C.C.F. from the plaintiff's institutional record.
6. Order defendants to follow policy when taking urine or drug test and all disciplinary proceedings to avoid further constitutional violations.
7. Order defendants to allow plaintiff to participate in all upcoming Ramadan, Talcem, and Jumah services and practice his religion freely.
8. Immediately order defendants to provide plaintiff with adequate nutrition and follow the plaintiff's medical ordered diet. And quit putting corn products on the plaintiff's trays.

C. Award compensatory damages in the following amounts:

1. \$50,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., Dr. Burke, Julian, Vital Core, DeRevere, Castro, Taylor, Robinson, Boyd, Reese and Day for the physical and emotional pain and suffering for the delays, denial, and ignoring the plaintiff's serious medical needs
2. \$25,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Anthony, Day, Reese, and Jane & John Does for the denial of not letting the plaintiff participate in Ramadan and practice his religion, which caused physical and emotional pain to the plaintiff
3. \$5,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day, and Reese for the physical and emotional pain sustained to plaintiff for not having a table or chair in cell

pg 33 of 34

4. \$25,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day, Reese, Dunmore, Hunt, Donnelly, Ossorio, and Jane & John Does for the physical and emotional pain and suffering the plaintiff suffered from the denial of providing the plaintiff with adequate nutrition and not following his prescribed medical diet.

5. \$10,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Hall, Penndleton, Ware and Jane & John Does for the punishment, including deprivation of privileges, liberty and amenity, and emotional injury resulting from their denial of due process in connection with the plaintiff's RVR's and disciplinary proceedings.

D. Award punitive damages in the following amounts:

1. \$10,000⁰⁰ each against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Dr. Burke, Julian, Vibal Core, Castro, Taylor, Robinson, Boyer, Reese and Day.

2. \$2,500⁰⁰ each against defendants Pennelton Ware, Hall

3. \$5,000⁰⁰ each against defendant Anthony, Jane and John Does.

E. Grant such other relief as it may appear that plaintiff is entitled.

XVIII Verification

78. I have read the foregoing complaint and hereby verify that the matters alleged therein are true and correct, except as to matters alleged on information and belief, and, as to those, I believe them to be true.

Pursuant to 28 U.S.C. § 1746, I, Jason Holloway declare under the penalty of perjury that the foregoing is true and correct.

Jason Holloway # M0998
W.C.C.F. E-207
P.O. Box 1889
Woodville, MS 39669

Respectfully Submitted,
Jason Holloway
Jason Holloway, prose
5-13-22

Exhibit # 1

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-348

SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #M0998
Location: Wilkinson County Correctional Facility

From: J. Burks
Title: Doctor

YOU WERE SEEN BY ME 6/16/21
I HOPE ALL YOUR QUESTIONS AND
CONCERNS WERE ADDRESSED


Signature

7/1/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program and is eligible to seek judicial review within 30 days of receipt of the Second Step Response.


Inmate's Signature

M0998
DOC #

7-2-21
Date

Exhibit # 2

COPY

Medical Restricted Diet Order Form

Name: Tasen Holloway ID # M0998

Housing Location: E 204

Start Date: 6/16/21 Expiration/Termination Date: 6/16/22

DIET ORDER: (Check ONLY ONE diet at a time)

☐ Dental Mechanical (liberal texture modification; chewing problems)

☒ Pregnancy/Nutrition Support

☐ Low Salt/Low Fat

☐ Diabetic Diet with HS snack

☐ No Concentrated Sweets Diet

☐ Full Liquid Diet (5-day max)

☐ Clear Liquid Diet (3-day max)

☐ Long Term Full-Liquid Diet

☐ Bland (no spice, onion, tomato, pepper)

Other, Please describe dietary needs: ALLERGIC TO CORN

Comments: _____

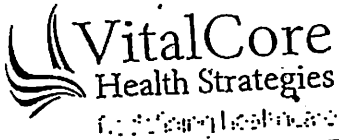
Approved By (Medical or Dental Signature): [Signature]

Name/Position: [Signature]

Received In Food Service: _____
(Enter Time and Date)

Received by: _____
(Food Service Staff Signature)

Exhibit #3



Form #121

Revised: 3-30-2020

NAME:

Last

First

MI

COPY

ID/#:

DOB:

☒ MALE ☐ FEMALE

MEDICAL DIET ORDER FORM

FACILITY:

DIET START DATE

DIET START DATE

Check one Diet Order Below

Please contact the Regional Dietitian if a diet is needed which is not on the standard list below.

Clear Liquid (Limit 3 Days)

Full Liquid (Limit 3 Days)

Full Liquid (Long Term)

Enhanced Calorie/ Protein

Lower Fat/ Cholesterol/ Sodium

Higher Fiber

Gluten Free

Low Lactose

Diabetic- Consistent Carbohydrate (No HS Snack)

Diabetic- Consistent Carbohydrate (Includes HS Snack)

Insulin Dependent Diabetic - 1800 Calorie

Insulin Dependent Diabetic - 2500 Calorie

Renal Disease (Dialysis)

Renal Disease (Non-Dialysis)

Dental Mechanical

Other:

Allergies NO CORN

SIGNATURES

Medical Authorization for Diet Order: ☒ YES ☐ NO

Ordered By

Date

Received In Food Department By

Date

Exhibit #4

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-469
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #M0998**
Location: **Wilkinson County Correctional Facility**

From: **S. Middlebrooks**
Title: **Warden**

In response to your ARP claim. In reference to you requesting to see the IMAM and be given the right to practice your religion/receive the special trays that are given when Ramadan is complete. The information gathered reveals according to Chaplin Anthony he does not have a change of religion form on file for you, so you need to update your change of religion form showing your religion as Muslim and submit it to Chaplin Department. I consider this matter resolved at this level.


Signature

7/14/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

M0998
DOC #

7-14-21
Date

Exhibit #5

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-807

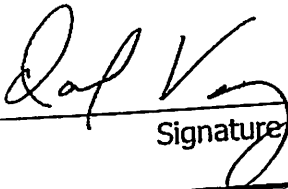
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #M0998**
Location: **Wilkinson County Correctional Facility**

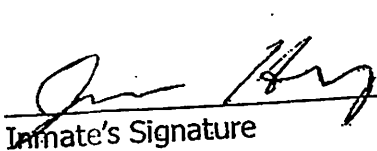
From: **D. Vannoy**
Title: **Warden**

In response to your ARP claim. In reference to a chair and table installed in your cell. No table will be installed in the cells. You can receive a chair only if you have a medical order from the Doctor stating you need a chair. I consider this matter resolved at this level.


Signature

12/31/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

M0998
DOC #

1-5-22
Date

Exhibit #6

COPY

WILKINSON COUNTY CORRECTIONAL FACILITY MEDICAL PASS	
NAME: <i>Holloway Jason</i>	MDOC # <i>110998</i>
RX:	
<i>CHAIR FOR CELL</i>	
DIET:	
<input type="checkbox"/> LAY-IN	EXP. DATE
<input type="checkbox"/> CUTHCES	EXP. DATE
<input type="checkbox"/> VITAL SIGNS	EXP. DATE
<input type="checkbox"/> OTHER	EXP. DATE
<input type="checkbox"/> ACE	EXP. DATE
<input type="checkbox"/> SPLINT	EXP. DATE
<input type="checkbox"/> KOPS'	EXP. DATE
SIGNATURE <i>J. Drake</i>	DATE <i>3/18/22</i>

Exhibit # 7

**MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program**

**WCCF-21-225
SECOND STEP RESPONSE FORM**

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #M0998**
Location: **Wilkinson County Correctional Facility**
From: **S. Middlebrooks**
Title: **Warden**

In response to your ARP claim. In reference to you requesting to be served the correct diet that was ordered with no corn products and to receive a snack bag. According to Food Service Dunmore you are receiving the correct diet tray and your Medical Diet Order Form was revised on 3/1/2021 in which you received a copy with your first step response with no snack bag ordered. I find this matter resolved at this level.


Signature

5/1/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

M0998
DOC #

5-5-21
Date

Exhibit #8

**MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program**

WCCF-22-63

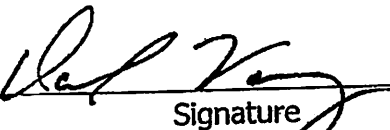
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #m0998**
Location: **Wilkinson County Correctional Facility**


From: **D. Vannoy**
Title: **Warden**

In response to your ARP claim. In reference to you requesting your food tray be fixed to Doctors orders,
extra food with no corn products. The information gathered reveals you stated in your original complaint you
were not receiving a sandwich at last meal served. You also stated corn products are continuing to be
placed on your tray. According to Ms. Hunt you receive your sandwich with your diner and no corn product
is being placed on your tray. You Inmate Jason Holloway #M0998 also stated you were receiving your
sandwich. I consider this matter resolved at this level.


Signature

3/18/22
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under
extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the
Second Step Response. Financial responsibility for such filing rests with the inmate.

 M0998
Inmate's Signature DOC #

3-22-22
Date

MTC Mississippi Units revised 2021

Regular

Week 1

Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
Breakfast Oatmeal w/ Brown Sugar 1 Cup French Toast Bake 2 Each Syrup 1/4 Cup Breakfast Sausage 2 WZ Margarine w/Vit A 1 Cup Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Hash Brown Potatoes 3 WZ Biscuit 3/4 Cup Jelly 1 Tbsp Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown Sugar 1 Cup Breakfast Sausage 2 WZ Hash Brown Potatoes 3/4 Cup Biscuit 2 Each 1/54 Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Cold Cereal 1 Cup Egg Fluff 3 WZ Coffee Cake 1 1/54 Slice Margarine w/Vit A# 1 Tbsp Hash Brown Potatoes 3/4 Cup Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Breakfast Meat Gravy 1 Cup Hash Brown Potatoes 3/4 Cup Biscuit 2 Each 1/54 Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown Sugar 1 Cup Pancakes 4" 3 Each Syrup 1/4 Cup Breakfast Sausage 2 WZ Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Breakfast Meat Gravy 1 Cup Hash Brown Potatoes 3/4 Cup Biscuit 2 Each 1/54 Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each
Lunch Turkey Stir Fry 3/4 Cup Rice 1 Cup Peas 1/2 Cup Roll 1 Each Margarine w/Vit A 1 Tbsp Glazed Cake 1/54 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Stew Gravy & Chili 1 1/4 Cup Rice Cooked 1 Cup Peas & Carrots 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Cookies 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Salisbury Patty 3 Ounce Brown Gravy 1/4 Cup Mashed Potatoes 1 Cup Corn 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Chili Mac Casserole 1 1/4 Cup Green Beans 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	T Hot Dog 2 Each Enriched Bread 2 Slice Chili with Beans 1/2 Cup Potato Salad 1 Cup Ketchup 1 Tbsp Mustard 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Taco Mix 1/2 Cup Shredded Lettuce 1 Cup Shredded Cheese 1/2 WZ Sauce Salsa 2 FZ Tortilla Chips 1 WZ Rice and Beans 1 Cup Corn 1/2 Cup Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Stroganoff Casserole 1 1/4 Cup Carrots (Vit A) 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Canned Fruit 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each
Dinner Meat Sauce 3/4 Cup Pasta Noodles 1 Cup Green Beans 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Pizza (PGS-Real-GNC) 1 1/16 Slice Corn 1/2 Cup Pasta Salad 1/2 Cup Pudding 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	T Ham 3 WZ Red Beans 3/4 Cup Rice 1 Cup Peas 1/2 Cup Biscuit 1 Each 1/54 Margarine w/Vit A# 1 Tbsp Canned Fruit 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Sliced Turkey 3 WZ poultry Gravy 1/4 Cup Mashed Potatoes 1 Cup Fried Cabbage 1/2 Cup Margarine w/Vit A# 1 Tbsp Optional Cookie 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Stew 1 1/4 Cup Carrots (Vit A) 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Meatloaf 3 Ounce Brown Gravy 1/4 Cup Mashed Potatoes 1 Cup Peas & Carrots 1/2 Cup Biscuit 1 Each 1/54 Margarine w/Vit A# 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Sauce (Pot Pie) 1 1/4 Cup Biscuit 1 Each Green Beans 1/2 Cup Margarine w/Vit A# 1 Tbsp Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each

Exhibit # 9

Dietary Consultant

Fiona Donnelly, R.D.

Approval Date

12/28/2020

Tulany Services Group

MTC Mississippi Units revised 2021

Regular

Week 2

Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
Breakfast Oatmeal w/ Brown: 1 Cup Sugar 3 Each Pancakes 4" 1/4 Cup Syrup 1 WZ Fried T Ham 1 Tbsp Margarine w/Vit A# 1 Each Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Breakfast Meat Gravy 1 Cup Hash Brown Potatoes 3/4 Cup 2 Each 1/54 Biscuit Cut Margarine w/Vit A# 1 Tbsp Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Cold Cereal 1 Cup Egg Patty 3 WZ Hash Brown Potatoes 3/4 Cup Biscuit 1 Each 1/54 Jelly Cut Margarine w/Vit A# 1 Tbsp Pepper PC 1 Each Milk 1 Cup Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Pancakes 4" 3 Each Syrup 1/4 Cup Breakfast Sausage 2 WZ Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown 1 Cup Sugar 1 WZ Fried T Ham 3/4 Cup Hash Brown Potatoes 1/4/54 Slice Coffee Cake 1 Tbsp Margarine w/Vit A# 1 Each Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup French Toast Bake 2 Each Syrup 1/4 Cup Breakfast Sausage 2 WZ Margarine w/Vit A# 1 Tbsp Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown 1 Cup Sugar 3 WZ Egg Patty 3/4 Cup Hash Brown Potatoes 1/54 Cut Coffee Cake 1 Tbsp Margarine w/Vit A# 1 Each Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each
Lunch Chili 1 Cup Rice 1 Cup Green Beans 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Canned Fruit 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Sausage 3 Ounce Turkey Sausage 2 Slice Dressing Salad 1 Tbsp Peas 1/2 Cup Macaroni Salad 1 Cup Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Burrito Filling 3/4 Cup Spanish Rice 1 Cup Corn 1/2 Cup Shredded Cheese 1 WZ Flour Tortilla 2 Each Oatmeal Cookie 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	T Ham 3 WZ Red Beans 3/4 Cup Rice 1 Cup Fried Cabbage 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Cookies 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Ala King 3/4 Cup Rice 1 Cup Green Beans 1/2 Cup Biscuit 1 Each 1/54 Cut Margarine w/Vit A# 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	T Hot Dog 2 Each Roll 1 Each Baked Beans 1 Cup Potato Salad 1 Cup Ketchup 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Sloppy Joe 1/2 Cup Hamburger Bun 1 Each Oven Brown Potatoes 1 Cup Mixed Vegetables 1/2 Cup Ketchup 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each
Dinner Burger Patty 3 Ounce Patty 1 Tbsp Ketchup 1 Cup Fried Potatoes 1/2 Cup Mixed Vegetables 1 Each Hamburger Bun 1/54 Cut Brownie 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Sausage 3 WZ Sausage 1 Tbsp Mustard 1 Cup Baked Beans 1/2 Cup Colelaw 1 Each TSG Hotter Roll 3 WZ 1 Each Fruit 1 Each Pepper PC 1 Each Fruit Drink with Vit C 1 Each Salt PC 1 Each	Shepherd's Pie 1 1/4 Cup Green Beans 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Pudding 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Meatloaf 3 Ounce Brown Gravy 1/4 Cup Mashed Potatoes 1 Cup Blackeyed Peas 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Ground Meat 3/4 Cup Stroganoff 1 Cup Herbed Pasta 1/2 Cup Mixed Vegetables 1 Each Roll 1 Tbsp Margarine w/Vit A# 1/2 Cup Pudding 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Baked Chicken 1 Each Quarter 1 Cup Rice Pilaf 1/2 Cup Fried Cabbage 1/54 Slice Cornbread 1 Tbsp Margarine w/Vit A# 1/54 Cut Glazed Cake 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Macaroni Goulash 1-1/4 Corn 1/2 Cup Biscuit 1 Each Margarine w/Vit A# 1 Tbs Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each

Dietary Consultant

Diana Donnelly, R.D.

Approval Date

12/29/2020

Trinity Services Group

MTC Mississippi Units revised 2021

Regular

Tuesday

Wednesday

Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
Breakfast Grits w/Sugar & Margarine 1 Cup Pancakes 4" 3 Each Syrup 1/4 Cup Fried T Bologna 1 WZ Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown Sugar 1 Cup Breakfast Sausage 2 WZ Hash Brown Potatoes 3/4 Cup Biscuit 1 Each 1/54 Slice Cut Margarine w/Vit A# 1 Tbsp Jelly 1 Tbsp Margarine w/Vit A# 1 Tbsp Pepper PC 1 Each Salt PC 1 Cup 1 Each	Grits w/Sugar & Margarine 1 Cup Breakfast Meat Gravy 1 Cup Hash Brown Potatoes 3/4 Cup Biscuit 2 Each 1/54 Slice Cut Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown Sugar 1 Cup Egg Patty 3 WZ Hash Brown Potatoes 3/4 Cup Coffee Cake 1/54 Slice Margarine w/Vit A# 1 Tbsp Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Breakfast Meat Gravy 1 Cup Hash Brown Potatoes 3/4 Cup Biscuit 2 Each 1/54 Slice Cut Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown Sugar 1 Cup French Toast Bake 2 Each Syrup 1/4 Cup Breakfast Sausage 2 WZ Margarine w/Vit A# 1 Tbsp Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Egg Patty 3 WZ Hash Brown Potatoes 3/4 Cup Coffee Cake 1/54 Slice Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each
Lunch Burger Patty 3 Ounce Sliced Cheese 1 Slice Hamburger Bun 1 Each Mustard 1 Tbsp Dressing Salad 1 Tbsp Ranch Beans 1 Cup Pasta Salad 1/2 Cup Oatmeal Cookie 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Tetrazzini 3/4 Cup Rice 1 Cup Fried Cabbage 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Stew 1 1/4 Cup Mixed Vegetables 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Stroganoff Casserole 1 1/4 Cup Green Beans 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Canned Fruit 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Peanut Butter 2 WZ Jelly 2 FZ Enriched Bread 4 Slice Macaroni Salad 1 Cup Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Chili Mac Casserole 1 1/4 Cup Corn 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Cookies 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Sauce (pot Pie) 1 1/4 Cup Green Beans 1/2 Cup Biscuit 1 Each 1/54 Slice Margarine w/Vit A# 1 Tbsp Oatmeal Cookie 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each
Dinner Creole Turkey Mix 1 1/4 Cup Peas & Carrots 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Pizza (pepperoni) 1/16 Slice Green Beans 1/2 Cup Italian Pasta Salad 1 Cup Cookies 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	T Ham 3 WZ Pinto Beans 1 Cup Fried Cabbage 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Chicken Tetrazzini 3/4 Cup Rice 1 Cup Carrots (Vit A) 1/2 Cup Biscuit 1 Each 1/54 Slice Cut Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Meatloaf 3 Ounce Brown Gravy 1/4 Cup Mashed Potatoes 1 Cup Fried Cabbage 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Stir Fry 3/4 Cup Rice 1 Cup Peas 1/2 Cup Biscuit 1 Each 1/54 Slice Cut Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Jambalaya 1 1/4 Cup Mixed Vegetables 1/2 Cup Red Beans 1/54 Slice Cornbread 1 Tbsp Margarine w/Vit A# 1 Tbsp Canned Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each

Dietary Consultant

Fawn Donnelly, R.D.

Approval Date

12/28/2020

MTC Wilkinson County Correctional Facility MS

Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
Breakfast						
Oatmeal w/ Brown Sugar 1 Cup	Grits w/ Sugar & Margarine 1 Cup	Oatmeal w/ Brown Sugar 1 Cup	Grits w/ Sugar & Margarine 1 Cup	Cold Cereal 1 Cup	Oatmeal w/ Brown Sugar 1 Cup	Grits w/ Sugar & Margarine 1 Cup
Pancakes 4" 3 Each	Egg Patty 3 WZ	Cinnamon Roll TSG 4 oz	Egg Patty 3 WZ	Breakfast Meat Gravy 1 Cup	Pancakes 4" 3 Each	Breakfast Sausage 2 WZ
Syrup 1/4 Cup	Hash Brown Potatoes 3/4 Cup	Milk Glazed Fried T Bologna 1 WZ	Hash Brown Potatoes 3/4 Cup	Hash Brown Potatoes 3/4 Cup	Hash Brown Potatoes 3/4 Cup	Hash Brown Potatoes 3/4 Cup
Breakfast Sausage 2 WZ	Coffee Cake 1 Tbsp	Margarine w/Vit A# 1 Tbsp	Coffee Cake 1 Tbsp	Biscuit 2 Each	Syrup 1 WZ	Biscuit 1 Each
Margarine w/Vit A# 1 Tbsp	Margarine w/Vit A# 1 Tbsp	Dairy Drink PC 1 Each	Margarine w/Vit A# 1 Tbsp	Margarine w/Vit A# 1 Tbsp	Fried T Bologna 1 Tbsp	Jelly 1 Tbsp
Milk 1 Cup	Dairy Drink PC 1 Each	Pepper PC 1 Each	Dairy Drink PC 1 Each	Milk 1 Cup	Dairy Drink PC 1 Each	Margarine w/Vit A# 1 Tbsp
Pepper PC 1 Each	Pepper PC 1 Each	Salt PC 1 Each	Pepper PC 1 Each	Pepper PC 1 Each	Pepper PC 1 Each	Pepper PC 1 Each
Salt PC 1 Each	Salt PC 1 Each		Salt PC 1 Each	Salt PC 1 Each	Salt PC 1 Each	Milk 1 Cup
						Salt PC 1 Each
Lunch						
Meat Sauce 3/4 Cup	Stew 1 1/4 Cup	T Ham 3 WZ	T Hot Dog 2 Each	Cheesburger 1 1/4 Cup	Sloppy Joe 1 1/2 Cup	Turkey Tetrazzini 3/4 Cup
Pasta Noodles 1 Cup	Rice 1 Cup	Red Beans 1 Cup	Roll 1 Each	Casserole 1 1/2 Cup	Hamburger Bun 1 Each	Rice 1 Cup
Corn 1/2 Cup	Green Beans 1 Cup	Seasoned Cabbage 1/2 Cup	Fried Potatoes 1 Cup	Mixed Vegetables 1 Each	Potato Salad 1 Cup	Green Beans 1/2 Cup
Roll 1 Each	Roll 1 Each	1/54 Slice 1/54 Slice	Ketchup 1 Tbsp	Biscuit 1 Tbsp	Red Beans 1/54 Cup	Cornbread 1/54 Slice
Margarine w/Vit A# 1 Tbsp	Margarine w/Vit A# 1 Tbsp	Cornbread 1/54 Slice	Baked Beans 1 Cup	Margarine w/Vit A# 1 Tbsp	Glazed Cake 1 Each	Margarine w/Vit A# 1 Tbsp
Fruit 1 Each	Glazed Cake 1 Each	Margarine w/Vit A# 1/54 Slice	Oatmeal Cookie 2 Each	Fruit 1 Each	Fruit Drink with Vit C 1 Each	Fruit 1 Each
Fruit Drink with Vit C 1 Each	Fruit Drink with Vit C 1 Each	Pudding 1 Each	Fruit Drink with Vit C 1 Each	Fruit Drink with Vit C 1 Each	Pepper PC 1 Each	Pepper PC 1 Each
Pepper PC 1 Each	Pepper PC 1 Each	Fruit Drink with Vit C 1 Each	Pepper PC 1 Each	Pepper PC 1 Each	Salt PC 1 Each	Fruit Drink with Vit C 1 Each
Salt PC 1 Each	Salt PC 1 Each	Salt PC 1 Each	Salt PC 1 Each	Salt PC 1 Each		Salt PC 1 Each
Dinner						
Burger Patty 3 Ounce	Turkey Smoked Sausage 3 WZ	Sliced Turkey 3 WZ	Meatloaf 3 Ounce	Chili 3/4 Cup	Jambalaya 1 1/4 Cup	Macaroni Goulash 1 1/4 Cup
Hash Brown Potatoes 1 Cup	Au Gratin Potatoes 1 Cup	Poultry Gravy 1/4 Cup	Brown Gravy 1/4 Cup	Rice 1 Cup	Green Beans 1/2 Cup	Carrots (Vit A) 1/2 Cup
Carrots (Vit A) 1/2 Cup	Fried Cabbage 1/2 Cup	Mashed Potatoes 1/2 Cup	Mashed Potatoes 1/2 Cup	Corn 1/2 Cup	Cornbread 1/54 Slice	Biscuit 1 Tbsp
Hamburger Bun 1 Each	Mustard 1 Tbsp	Carrots (Vit A) 1/2 Cup	Peas & Carrots 1 Each	Cornbread 1/54 Slice	Margarine w/Vit A# 1 Tbsp	Margarine w/Vit A# 1 Tbsp
Ketchup 1 Tbsp	Hoagie Roll 1 Each	Biscuit 1 Each	Roll 1 Each	Margarine w/Vit A# 1 Tbsp	Cookies 2 Each	Glazed Cake 1 Each
Brownie 1/54 Cup	Canned Fruit 1/2 Cup	Margarine w/Vit A# 1 Tbsp	Margarine w/Vit A# 1 Tbsp	Glazed Cake 1/54 Slice	Fruit Drink with Vit C 1 Each	Fruit Drink with Vit C 1 Each
Fruit Drink with Vit C 1 Each	Fruit Drink with Vit C 1 Each	Glazed Cake 1 Each	Canned Fruit 1/2 Cup	Fruit Drink with Vit C 1 Each	Pepper PC 1 Each	Pepper PC 1 Each
Pepper PC 1 Each	Pepper PC 1 Each	Fruit Drink with Vit C 1 Each	Fruit Drink with Vit C 1 Each	Pepper PC 1 Each	Salt PC 1 Each	Salt PC 1 Each
Salt PC 1 Each	Salt PC 1 Each	Salt PC 1 Each	Salt PC 1 Each	Salt PC 1 Each		

Laura Donnelly, R.D.

Approval Date 12/28/2020

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Exhibit # 10

CYCLE #4 ← CURRENT CYCLE		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
MONDAY ← DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21	
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			8 oz
Oatmeal	8 oz	Oatmeal LFNS	2 oz
Sausage (Non-Pork)	2 oz	Sausage (Non-Pork)	2 ea
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Wheat Toast	8 oz
Cinnamon Roll	1 ea	Coffee	8 oz
Coffee	8 oz	Milk (1%)	2 ea
Milk (1%)	2 ea	Sugar Substitute	4 oz / 1 ea
Sugar Substitute	1 pat	Fruit (Can, Frozen, Fresh)	
Margarine			
LUNCH:			3 oz/1 oz
Salsbury Steak w/Sauteed Onions	3 oz/1 oz	Lean Hamburger Pattie w/Sauteed Onions LFNS	4 oz
Brown Gravy	2 oz	Green Beans LFNS	4 oz
Green Beans	4 oz	Potatoes LFNS	4 oz
Potatoes	4 oz	Beans LFNS	1 ea
Beans	1 ea	Wheat Bread	8 oz
Buttered Cornbread	8 oz	Tea/Water	
Tea/Water			
DINNER:			3 oz
Turkey Hot Dogs w/chili	2 ea / 2 oz	Lean Chicken Pattie LFNS	4 oz
Mac 'n Cheese	4 oz	Mac 'n Cheese LFNS	4 oz
Broccoli	4 oz	Broccoli LFNS	4 oz
Beans	4 oz	Beans LFNS	2 ea
Bread	2 ea	Wheat Bread	8 oz
Mustard/Relish/Onions	2 oz	Punch	4 oz / 1 ea
Dessert	4 oz	Fruit (Can, Frozen, Fresh)	
Punch	8 oz		
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials			
CYCLE #4 ← CURRENT CYCLE		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
TUESDAY ← DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21	
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			1.5 oz
Dry Cereal	1.5 oz	Dry Cereal	4 oz / 2 ea
Sausage (Non-Pork)	2 ea	Eggs (Scrambled or each)	

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Buttered Biscuits	2 ea	Wheat Toast	2 ea
Sugar Substitute	2 ea	Sugar Substitute	8 oz
Milk (1%)	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	4 oz / 1 ea
Jelly	2 oz	Fruit (Can, Frozen, Fresh)	
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea		
LUNCH:		Taco Salad	
Taco Salad			
Chili/Tortilla Chips	4 oz / 4 oz	Chili/Tortilla Chips	4 oz / 4 oz
Shredded Cheese/Salsa	2 oz / 2 oz	Shredded Cheese/Salsa	2 oz / 2 oz
Shred Lettuce	8 oz	Shred Lettuce	8 oz
Sour Cream	1 oz or 1 pkt	Sour Cream	1 oz or 1 pkt
Yellow Rice	4 oz	Yellow Rice	4 oz
Beans	4 oz	Beans	4 oz
Tea/Water	8 oz	Tea/Water	8 oz
DINNER:			
Corn Dogs (2)	6 oz	Lean Beef Pattie LFNS	3 oz
Potatoes	4 oz	Potatoes LFNS	4 oz
Cabbage	4 oz	Cabbage LFNS	4 oz
Rice	4 oz	Rice	4 oz
Beans	4 oz	Beans	8 oz
Dessert	4 oz	Punch	4 oz / 1 ea
Punch	8 oz	Fruit (Fresh)	
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
CYCLE #4 ← CURRENT CYCLE		Dietitian/Reg-License #: D2185 Date: 12/1/21	
WEDNESDAY ← DAY OF THE WEEK		DIET FOR HEALTH	PORTION
REGULAR DIET	PORTION	LF=Low Fat, NS=No Salt, SF=Sugar Free	
BREAKFAST:			4 oz
Grits	4 oz	Grits LFNS	4 oz / 2 ea
Sausage (Non-Pork)	2 ea	Eggs(Scrambled or each)	2 ea
Pancakes	2 ea	Pancakes	3 oz
Syrup	3 oz	Lite Syrup	8 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Coffee	8 oz
Coffee	8 oz	Milk (1%)	2 ea
Milk (1%)	8 oz	Sugar Substitute	4 oz / 1 ea
Sugar Substitutue	2 ea	Fruit (Can, Frozen, Fresh)	
LUNCH:			3 oz
Baked Chicken	3 oz	Baked Chicken LFNS	

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Bread	2 ea	Wheat Bread	2 ea
Cabbage	4 oz	Cabbage LFNS	4 oz
Mix Vegetables	4 oz	Mixed Vegetables LFNS	4 oz
Beans	4 oz	Beans LFNS	8 oz
Tea/Water	8 oz	Tea/Water	
Margarine	1 pat		
DINNER:			
Philly Cheese Steak Sandwich with Cheese	3 oz/2 oz	Philly Cheese Steak Sandwich with Cheese	3 oz/2 oz
Bread w/ entrée		Bread w/ entrée	2 oz
Sauteed Onions & Peppers	2 oz	Sauteed Onions & Peppers	4 oz
Squash	4 oz	Squash LFNS	4 oz
Peas	4 oz	Peas LFNS	4 oz
Beans	4 oz	Beans LFNS	8 oz
Dessert	4 oz	Punch	4 oz / 1 ea
Punch	8 oz	Fruit (Can, Frozen, Fresh)	
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
CYCLE #4 ← CURRENT CYCLE		Dietitian/Reg-License #: D2185 Date: 12/1/21	
THURSDAY ← DAY OF THE WEEK		DIET FOR HEALTH	
REGULAR DIET	PORTION	LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			
Breakfast Tacos (flour tortillas)	2 ea / 2 ea	Breakfast Tacos (flour tortillas)	2 ea / 2 ea
(scrambled eggs, meat, cheese)		(scrambled eggs, meat, cheese)	4 oz
Refried Beans	4 oz	Refried Beans	4 oz
Potatoes	4 oz	Potatoes LFNS	2 oz
Fresh Salsa	2 oz	Fresh Salsa	8 oz
Milk (1%)	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	2 ea
Sugar Substitute	2 ea	Sugar Substitute	4 oz / 1 ea
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	
LUNCH:			2 oz. ea/2 ea
Beef Tacos (Soft or Hard)	2 oz. ea/2 ea	Beef Tacos (Soft or Hard)	
Bread w/ entrée		Bread w/ entrée	2 oz.
Lettuce/Tomato/Onion/Cheese	2 oz.	Lettuce/Tomato/Onion/Cheese	4 oz
Spanish Rice	4 oz	Spanish Rice LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Hominy	4 oz	Hominy LFNS	8 oz
Dessert	8 oz	Tea/Water	
Tea/Water			

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Spaghetti w/meat sauce	8 oz	Spaghetti w/meat sauce LFNS	3 oz
Beans	4 oz	Beans LFNS	4 oz
Broccoli	4 oz	Broccoli LFNS	4 oz
Carrots	4 oz	Carrots LFNS	2 ea
Garlic Toast	2 ea	Wheat Bread	8 oz
Punch	8 oz	Punch	4 oz / 1 ea
Fruit (Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	
Total Meals		HS Snack List	
Date		Milk	
Subs Y-N		Protein	
Mgr Initials		Bread	
CYCLE #4 ← CURRENT CYCLE		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
FRIDAY ← DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21	
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			
Oatmeal	4 oz	Oatmeal LFNS	4 oz
Sausage (Non-Pork)	2 ea	Eggs (Scrambled or each)	4 oz / 2 ea
French Toast	2 ea	French Toast	2 ea
Milk (1%)	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	8 oz
Sugar Substitute	2 ea	Sugar Substitute	2 ea
Syrup	2 oz	Sugar Free Syrup	2 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
LUNCH:			
Pizza	1 ea	Lean Chicken Pattie LFNS	3 oz
Fresh Salad	4 oz	Fresh Salad	4 oz
Potatoes	4 oz	Potatoes LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Dessert	1 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Tea/Water	8 oz	Wheat Bread	2 ea
		Tea/Water	8 oz
DINNER:			
Chicken Stir Fry w/rice	8 oz	Chicken Stir Fry w/rice LFNS	8 oz
Cabbage	4 oz	Cabbage LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Cornbread	1 ea	Cornbread	1 ea
Dessert	4 oz	Punch	8 oz
Punch	8 oz	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals			

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Date		HS Snack List		Milk
Subs Y-N				Protein
Mgr Initials				Bread
CYCLE #4 ← CURRENT CYCLE		Menus Approved By: Ellen Ossorio, MS, RD, LDN		
SATURDAY ← DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21		
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free		PORTION
BREAKFAST:				1.5 oz
Dry Cereal	1.5 oz	Dry Cereal		4 oz / 2 ea
Meat Gravy	4 oz	Eggs (Scrambled or each)		2 ea
Buttered Biscuits	2 ea	Wheat Toast		8 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Milk (1%)		8 oz
Milk (1%)	8 oz	Coffee		2 ea
Coffee	8 oz	Sugar Substitute		4 oz / 1 ea
Sugar Substitute	2 ea	Fruit (Can, Frozen, Fresh)		
Jelly	2 oz			
LUNCH:				3 oz
Beef Enchiladas (Casserole or Rolled)	8 oz / 2 ea	Lean Beef Patty NS		4 oz
Bread w/ entrée	4 oz	Dinner Salad		4 oz
Dinner Salad	4 oz	Beans LFNS		4 oz
Beans	4 oz	Corn LFNS		2 oz
Corn	2 oz	Salad Dressing		2 ea
Salad Dressing	4 oz	Wheat Bread		8 oz
Dessert	8 oz	Tea/Water		
Tea/Water				
DINNER:				2 oz. ea/2 ea
(2) Cold Cut Sandwiches (2 oz. meat ea.)	2 oz. ea/2 ea	(2) Turkey Sandwiches (2 oz. meat ea.)		
Bread w/ entrée	2 oz	Bread w/ entrée		2 oz
(2) Cheese	4 oz	(2) Cheese		4 oz.
Lettuce/Tomato/Onion/Pickle	4 oz	Lettuce/Tomato/Onion/Pickle		4 oz
Coleslaw	4 oz	Coleslaw LFNS		4 oz
Ranch Style Pinto Beans	4 oz	Ranch Style Pinto Beans LFNS		8 oz
Punch	8 oz	Punch		1 ea
Mayo/Must. Pack	1 ea	Mayo/Must. Pack		4 oz / 1 ea
		Fruit (Can, Frozen, Fresh)		
Total Meals		HS Snack List		Milk
Date				Protein
Subs Y-N				Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN		
CYCLE #4 ← CURRENT CYCLE		Dietitian/Reg-License #: D2185 Date: 12/1/21		
SUNDAY ← DAY OF THE WEEK		DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free		
REGULAR DIET	PORTION			PORTION

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

BREAKFAST:			
Grits	4 oz	Grits LFNS	4 oz
Sausage (Non-Pork)	2 ea	Eggs(Scrambled or each)	4 oz / 2 ea
Pancakes	2 ea	Pancakes	2 ea
Margarine/Syrup	2 pat/3 oz	Lite Syrup	3 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Milk (1%)	8 oz
Milk (1%)	8 oz	Coffee	8 oz
Coffee	8 oz	Sugar Substitute	2 ea
Sugar Substitute	2 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
LUNCH:			
Chicken Pattie	3 oz	Lean Chicken Pattie LFNS	3 oz
Bread	2 ea	Wheat Bread	2 ea
Potato Salad	4 oz	Potato Salad LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Green Beans	4 oz	Green Beans LFNS	4 oz
Dessert	4 oz	Tea/water	8 oz
Tea/water	8 oz		
DINNER:			
Chirozo w/Eggs	2 oz / 4 oz	Eggs (Scrambled or each)	4 oz / 2 ea
Potatoes	4 oz	Potatoes LFNS	4 oz
Mexican Corn	4 oz	Mexican Corn LFNS	4 oz
Refried Beans	4 oz	Refried Beans LFNS	4 oz
Tortillas	2 ea	Wheat Bread	2 ea
Salsa	2 oz	Salsa	2 oz
Punch	8 oz	Punch	8 oz
Margarine	2 pat	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals			
Date		HS Snack List	Milk
Subs Y-N			Protein
Mgr Initials			Bread

RULE VIOLATION REPORT

(Unit Admin. Initials) _____ Zone _____ Unit _____ Call / Bat # _____
 Offender: _____ WDOCC# _____ Violated Rule # _____ Initialed _____
 _____ Date _____ Approx. Time _____ Hrs. _____

CIRCUMSTANCES AND DETAILS

Applied now (withholding 15 days with Legal Claims Adjudicator, via ARJ, P.O. Box 609, Parchman, MS 39282) and to the
 (b)(6)

Days of Earned Time _____ Approved _____ Disapproved _____
Commissioner of Correction or Designee

RULING VIOLATION REPORT

Unit Action: Initial	Zone / Dir:	Unit	Call / Unit #	Event
Order:		MSOC# 122115	Violated Rule # 12.10	Time

By the speed of light of _____
 When measured _____
 IDAC: location of modern _____

CIRCUMSTANCES AND DETAILS:

Page 7 of 10

Region of _____ Seamounts or atolls _____ Pa-nestio p-rove the navigation employees in time _____

City _____ Date/Time for Rail # _____

Working QIR of _____, dated _____, 1993, after receipt of the Declaration

Energy and its handling on the R.R. affords an insight to continue to receive from the R.R. under the R.R. Act.

WILKINSON COUNTY CORRECTIONAL FACILITY

No 2011878

RULE VIOLATION REPORT

(MSP) _____ (CWC) _____
(CMCF) _____ (SMCI) _____
(OTHER) WCCF

(Unit Admin. Initial) MD Zone / Tier CDE Unit Bldg D Cell / Bed # E 206
Offender JASON HOLLOWAY MDOC# M0998 Violated Rule # B18 Entitled
Refuse To Submit To A Drug Test Date 1-26-22 Approx. Time 1021 Hrs.

By the specific act of Refusing a Drug Test
Weapon involved _____ Yes _____ No _____ EXACT location of incident E 206

CIRCUMSTANCES AND DETAILS
Holloway # M0998 Refuse a Reasonable Suspicion Drug Test. END of Statement
Reporting Employee's Signature Joseph Hall Title Sergeant PIN# 9996 Date 1-27-22 Time 0913

Evidence _____ Yes _____ No _____ Located _____ Placed in Segregation - PDA _____ No _____ Yes _____ Location _____

I request witness(es) _____ Yes _____ No _____
Witness(es) (1) Kenneth Bell (2) Officer Boyd
Unless waived, you are hereby notified that a hearing will be held within, no less than, twenty-four (24) hours and no more than (7) working days
I waive the right to a Hearing _____ Yes _____ No _____

ACCUSED J. H. DELIVERING EMPLOYEE M. Davis DATE 1-27-22 TIME 1312
1. Investigation began within 24 hrs of violation? _____ Yes _____ No _____
2. Date/Time investigation completed 1/27/22 13:16 AM/PM

3. If not completed without reasonable delay, explain: _____
4. Name of Investigator M. Davis
5. Working days between date of violation and hearing _____
6. If more than seven (7) working days, explain: _____

Is accused offender in Trusty Status _____ Yes _____ No _____ Does accused offender receive Earned Time _____ Yes _____ No _____
Name of Persons at Hearing - Accused _____ Hearing Officer _____
Other _____

Accused's response _____ Admit _____ Admit w/ modifications _____ Deny _____ Accused's Statement _____
Documents read and discussed _____ RVR _____ Investigation _____ Witness Statements _____ Other _____

FINDINGS: _____ Guilty _____ Not Guilty _____ Reason for Findings: _____


PUNISHMENT:
Reason (s) _____ Seriousness of offense _____ The need to protect the institution, employees or others _____ Poor conduct record _____
Other _____
A total of _____ Rule Violations in _____ A total of _____ Rule Violations for Rule # _____
Date: _____

Signature: _____ Hearing Officer _____
Appeal may be filed within 15 days with Legal Claims Adjudicator, c/o ARP, P.O. Box 609, Parchman, MS. 38738, after receipt of the Disciplinary decision.

Offender Signature: _____ Date: _____
Signature of Reviewing Superintendent/Warden/CSD/Designee: _____ Date: _____

Custody Reduction _____ to _____ Date _____ Signature _____
Due to guilty finding on the RVR, offender is ineligible to continue to receive Trusty Earned Time/Remove from Trusty Status/ Trusty Earned Time effective _____ Signature _____
Approved _____ Disapproved _____
_____ Director of Corrections or Designee

Exhibit # 14

	MISSISSIPPI DEPARTMENT OF CORRECTIONS		SOP NUMBER 18-02-01
			INSTITUTIONS
OFFENDER DRUG TESTING			INITIAL DATE 09-01-2008
ACA STANDARDS:			EFFECTIVE DATE 10-01-2013
STATUTES:		NON-RESTRICTED	PAGE 1 of 8

APPLICABILITY:

This procedure applies to all offenders incarcerated by the Mississippi Department of Corrections (MDOC) and employees responsible for the offender drug testing process.

POLICY:

It is the policy of the Mississippi Department of Corrections to control unauthorized use and abuse of illegal substances and drugs by conducting offender drug tests.

DEFINITIONS:

Indelible Ink – Ink that is impossible to remove, rub out, wash out, or alter.

Chain of Custody – A legal term that refers to the ability to trace and safeguard the specimen from the time it is donated through all the steps in the process from collection to reporting the results.

Illicit Drug – Any controlled substance or prescription medication used unlawfully.

Sensitive Placement – An offender's job assignment or workplace that requires the offender to have integrity and exhibit responsibility. Offenders may be housed outside the institution and work on outside details with minimum supervision while living in a community setting. Offenders housed within the institution may have contact with the general public and require minimum supervision.

Specimen – Sample of urine taken from an offender sufficient to conduct a urinalysis.

Urinalysis – The testing of a urine specimen.

Fluid Drug Screen – The testing of oral fluid.

Reasonable Belief – Judgment based on specific objective facts and reasonable conclusions drawn in light of experience, training, and education.

PRECEPTS:**Targeted Testing**

The Commissioner or Deputy Commissioner of Institutions or designee(s) may authorize Targeted Testing. Such testing will normally be performed under the following circumstances:

- An offender is being considered for placement in a community facility based program
- Required by Court Order

TITLE: OFFENDER DRUG TESTING		SOP NUMBER 18-02-01
EFFECTIVE DATE: 10-01-2013	NON-RESTRICTED	PAGE 3 of 8

Notification of Positive Drug Test for RID Offenders

The staff member conducting the urinalysis is responsible for notifying the Central Mississippi Correctional Facility (CMCF) Warden and the Assistant Director of Offender Services (ADOS) in charge of admission of any positive test for RID offenders.

If the offender tests positive on his initial arrival, the Assistant Director of Offender Services in charge of admission will immediately notify the sentencing judge and the designated family contact in writing of the delay in the offender entering the RID program.

If the offender tests positive on a random drug test, the staff member conducting the urinalysis will issue him/her a RVR.

The Disciplinary Hearing Officer will hear the RVR and impose the appropriate disciplinary sanctions for offenders testing positive for alcohol/drugs.

If the offender is reclassified to the general population, the Assistant Director of Offender Services in charge of admissions will be notified.

The ADOS will contact the Judge with the disposition of the Disciplinary Hearing Officer and if necessary, the State Classification Hearing Officer. It will be noted in the letter to the Judge that the offender tested positive after testing negative upon arrival at the MDOC R&C Center.

The sentencing judge will make the final disposition of the RID offender's status.

Reasonable Suspicion Test

This test is conducted if there is reasonable suspicion that an offender is using alcohol or drugs. Offenders may be tested at any time for reasonable suspicion.

Reasonable suspicion will be noted on the Urinalysis Chain of Custody form and signed by the suspecting officer and the officer's supervisor.

Random Testing

An offender may be ordered to submit a urine specimen as part of the random drug testing program. Each Facility's Controlling Authority will ensure that, at a minimum, 15% of all offenders assigned to the facility are tested on a random basis each month.

An offender on dialysis may be ordered to submit oral fluid as part of the random drug testing program.

The MDOC Management Information Systems staff will generate this list within Offendertrak and ensure that the random list constitutes 15% of the facility's population.

Consecutive tests of the same offender may be conducted if his/her name appears on the appropriate computer-generated random list.

TITLE: OFFENDER DRUG TESTING		SOP NUMBER 18-02-01
EFFECTIVE DATE: 10-01-2013	NON-RESTRICTED	PAGE 5 of 8

This information will be typed or legibly written in indelible ink and match the information on the Urinalysis Chain of Custody Form. The offender will be asked to acknowledge that the information on the container/lid is correct.

The offender will also be asked if he/she has been taking any medication in the past three weeks, and the response will be noted on the Urinalysis Chain of Custody form. If the offender's response is "yes" and the subsequent test results are positive, an inquiry will be made to Medical Personnel for prescription verification as to what medications the offender has received in the past three weeks.

The collection and testing of a urine specimen will be conducted by two (2) staff members of the same gender as the offender being tested. One staff member will be the witness and the other will be the tester. The staff member witnessing the collection will:

- Supervise one offender at a time
- Continuously observe (witness) the production of the urine specimen into the container
- Keep the specimen in full view of the offender at all times prior to placing the lid on it and labeling it
- Close up the bottle containing the specimen

The staff member performing the test will test the sample according to the vendor specifications.

If the test is negative, the staff member performing the test will dispose of the urine in a toilet and the container in a waste receptacle for biohazardous material.

If the test is positive, the staff member will take a photograph of the lid showing the offender's name and number and the positive results.

The staff member will record the personal observation of the specimen collection and subsequent test results on the Urinalysis Chain of Custody Form.

If an offender refuses to sign the Urinalysis Chain of Custody Form, two (2) staff members will sign as witnesses.

The staff member performing the test will dispose of the urine in a toilet and the container in a waste receptacle for biohazardous material.

The offender will be issued a RVR in accordance with MDOC procedure 18-01-01, Disciplinary Procedures. A copy of the chain of custody form and the photo of the lid's test results will be attached to the RVR for the Disciplinary Hearing Officer.

Collecting the Oral Fluid Specimen

The staff member responsible for collecting the oral specimen will:

- Instruct the donor not to eat, drink, smoke or chew tobacco products at least 10 minutes prior to the administration of the test.
- Confirm the offender's identity by inspecting the offender's photo identification card.

TITLE: OFFENDER DRUG TESTING		SOP NUMBER 18-02-01
EFFECTIVE DATE: 10-01-2013	NON-RESTRICTED	PAGE 7 of 8

285 If the test is positive, the staff member will take a photograph of the device showing the
 286 offender's name and number and the positive results.

287
 288 The staff member will record the personal observation of the specimen collection and
 289 subsequent test results on the Chain of Custody Form.

290
 291 If an offender refuses to sign the Chain of Custody Form, two (2) staff members will sign as
 292 witnesses.

293
 294 The offender will be issued a RVR in accordance with MDOC procedure 18-01-01, Disciplinary
 295 Procedures. A copy of the Chain of Custody form and the photo of the device's test results will
 296 be attached to the RVR for the Disciplinary Hearing Officer.

297 298 Refusal to Provide Sample

299
 300 An offender who refuses to submit a urine specimen/oral fluid as ordered will be written a RVR
 301 for refusing or failing to submit to a urinalysis test in accordance with MDOC procedure 18-01-
 302 01, Disciplinary Procedures.

303
 304 If the offender claims he/she is unable to provide a urine specimen immediately, he/she will be
 305 detained for observation. An offender who is unable to provide a urine specimen after four (4)
 306 hours will be considered to have refused or failed to submit to a urinalysis test. If the offender
 307 refuses or is unable to submit a urine specimen within four (4) hours, this fact will be noted on
 308 the Urinalysis Chain of Custody form.

309 310 Training

311
 312 All staff members involved in the taking of urine or fluid samples will be trained in these
 313 procedures before any drug testing of an offender is conducted. The vendor supplying the
 314 testing material or a certified staff member will conduct training.

315 316 Sanctions for Positive Drug Tests

317
 318 MDOC applies serious responses to positive drug tests. Offenders who test positive, whether in
 319 a drug program or not, meet with sanctions by the appropriate authorities.

320
 321 The Disciplinary Hearing Officer may impose sanctions based on the severity and repetition of
 322 the offense. Such sanctions will include those identified in MDOC procedure 18-01-01,
 323 Disciplinary Procedures.

324 325 Sanctions for Offenders in the RID Program

326
 327 If an active RID participant tests positive, a Rule Violation Report will be issued. He may be
 328 referred to a Termination Hearing Committee that consists of a Case Manager, a treatment
 329 person, and a security person. They will make a recommendation to the RID Director regarding
 330 whether the offender should stay in the program.

331
 332 If the Termination Hearing Committee recommends terminating the offender from the program,
 333 a Classification Hearing Officer will meet and reclassify the offender. See MDOC procedure on
 334 Disciplinary Procedures.

Exhibit #15

**MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program**

WCCF-22-126


SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #M0998**
Location: **Wilkinson County Correctional Facility**

From: **D. Vannoy**
Title: **Warden**

In response to your ARP claim. In reference to you requesting the drug testing policy S.O.P. #18-02-01 (MDOC Policy) be followed at all times when doing drug testing. The information gathered reveals according to Sgt. Hall he is following guidelines and procedure of policy 18-02-01. You have not provided any evidence to show where policy is not being followed. I consider this matter resolved at this level.




Signature

4/18/22

Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.



Inmate's Signature


M0998

DOC #

4-20-22

Date

Exhibit # 16

 MISSISSIPPI DEPARTMENT OF CORRECTIONS	SOP NUMBER 18-01-01
	AGENCY WIDE
DISCIPLINARY PROCEDURES	INITIAL DATE 10-01-1997
ACA STANDARDS: 5-ACI-3C-01 thru 5-ACI-3C-23, 4-ACRS-3A-01 thru 4-ACRS-3A-03, 4-ACRS-6C-01 thru 4-ACRS-6C-04	EFFECTIVE DATE 12-01-2021
STATUTES: 47-5-99, 47-5-104, 47-5-801	NON-RESTRICTED
PAGE 1 of 20	

APPLICABILITY:

This procedure applies to all offenders incarcerated by the Mississippi Department of Corrections (MDOC) and employees participating in the disciplinary process.

The provisions of this standard operating procedure will apply retroactively.

POLICY STATEMENT:

It is the policy of the Mississippi Department of Corrections (MDOC) to discipline all offenders who commit and/or participate in prohibited activities.

DEFINITIONS:

Administrative Remedy Program – A program by which an offender may request administrative remedy for situations arising from policies, conditions or events within MDOC that affect them personally.

Criminal Violations – Any incident in which an offender allegedly commits an act covered by criminal law.

Disciplinary Hearing – An impartial classification hearing composed of a Disciplinary Hearing Officer or staff member whose name appears on the Executive Order approved by the Commissioner.

Disciplinary Hearing Officer – Staff member whose name appears on the Executive Order approved by the Commissioner who will hear all pertinent information surrounding an alleged rule violation and base their final decision if some evidence presented at the hearing indicates the underlying action(s) occurred.

Informal Resolution – Resolution of a minor rule infraction at the unit level.

Rule Violation – An act or omission of an act contrary to the rules and regulations of MDOC, laws of the State of Mississippi, or the United States.

Rule Violation Report (RVR) – A report that will include the violation charge, essential facts supporting the alleged violation, processing action taken (including requests for investigation and lists of requested witnesses), findings and disciplinary action taken (if any). The reporting form will be configured so that proper distribution can be made with the original becoming part of the offender's permanent MDOC record.

Inappropriate Sexual Behavior – Seductive or obscene acts that include unwelcome touching, or masturbation.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 2 of 20

Inappropriate Sexual Behavior with Another Person – Seductive or obscene acts that include intimate touching, penetration of another's body cavity, and include homosexual and heterosexual activity.

Physical Action – Any use of force; act of fighting, hitting, kicking, shoving, pushing, biting, or other similar type of physical contact; or throwing, squirting or spitting any item, substance or fluid.

Riot – To incite, instigate, organize, plan, cause, aid, abet, assist or take part in any disorder, disturbance, strike, or other organized disobedience to the rules of the facility.

Serious Physical Injury – Means an injury requiring more than basic first aid.

Sexual Assault – Non-consensual intimate physical contact with another person that may include an attempt or threat of physical violence.

Unauthorized Communication – Any form of communication not allowed by any posted or published rule, including inducing personnel to carry items into or out of the institution, using a staff telephone or communicating with another inmate in a different housing status.

Dangerous Contraband – A firearm, knife, other weapon, device or instrument, material or substance that is readily capable of causing or inducing fear of death or serious physical injury.

Some Evidence – Whether any evidence at all supports the action taken by prison officials.

Tobacco Product – Any product that contains tobacco, the prepared leaves of any plant belonging to the nicotine family, which will include, but not limited to cigarettes, loose tobacco, cigar, snuff, chewing tobacco, or any other preparation of tobacco, tobacco substitutes, smoking paraphernalia (i.e., matches, lighter, cigarette papers) and all other items developed and processed for the primary purpose of facilitating the use or possession of tobacco or tobacco-related products as well as packaging material. Packaging material includes, but not limited to snuff or cigarette containers. tobacco product does not include pharmacological aids (i.e., patch, inhaler, or lozenges) for smoking cessation.

Electronic Cigarette/Vaporizers – An electrical device(s) that simulates the act of tobacco smoking by producing an inhaled vapor bearing the physical sensation, appearance, and may contain nicotine. The liquid is heated to create an aerosol that the user inhales.

PROCEDURES:

Adult Community Residential Services: Facility rules and regulations are reviewed at least annually and updated, if necessary [4-ACRS-3A-02].

Adult Correctional Institutions: There is a written set of disciplinary procedures governing inmate rule violations [5-ACI-3C-02].

Adult Community Residential Services: All program rules and regulations pertaining to offenders are conspicuously posted in the facility or included in a handbook that is accessible to all offenders and staff [4-ACRS-3A-03].

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 3 of 20

Adult Correctional Institutions: A rulebook that contains all chargeable offenses, ranges of penalties, and disciplinary procedures is given to each inmate and staff member and is translated into those languages spoken by significant numbers of inmates. Signed acknowledgement of receipt of the rulebook is maintained in the inmate's file. When a literacy or language problem prevents an inmate from understanding the rulebook, a staff member or translator assists the inmate in understanding the rules [5-ACI-3C-03].

Adult Community Residential Services: There is a process for informal resolution of minor infractions of facility rules [4-ACRS-6C-01].

Adult Correctional Institutions: There are written guidelines for resolving minor inmate infractions, which include a written statement of the rule violated and a hearing and decision within seven days, excluding weekends and holidays, by a person not involved in the rule violation; inmates may waive their appearance at the hearing [5-ACI-3C-05].

Informal Resolution Process

An Informal Resolution of a minor violation requires prompt yet fair disposition and agreement between the accused offender and a staff member (Correctional Supervisor or above).

The Informal Resolution is designed to reduce paperwork and to enable the offender to avoid a recorded entry of disciplinary action.

Informal Resolutions will not be used in cases involving violence or physical aggression.

To accomplish the Informal Resolution action the accused offender will be escorted to the appropriate authority, the charges will be verbally related, and a decision will be made by the appropriate authority as to whether the violation merits action.

Upon agreement, an Informal Resolution form will be completed. The Informal Resolution form will include, but not be limited to the following information, as applicable:

- Offender's name, number, housing unit, zone/tier, cell/bed
- Date and time
- Location of incident
- Specific rule violated
- A formal statement of the charge
- Any unusual offender behavior
- Any staff witnesses
- Any physical evidence and its disposition
- Reporting staff member's name
- Hearing Officer's signature and date
- Accused offender's signature, unless refused
- Punishment

An informal meeting will be held with the accused offender and a decision made within seven (7) days, excluding weekends and holidays.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 4 of 20

The accused offender may waive the meeting by notifying the appropriate authority and completing a waiver form. The accused offender must sign and agree to the imposed penalty.

The following penalties may be imposed:

- Counseling with or without a reprimand
- Assignment of extra duty, not to exceed 16 hours (0-16 max)
- Temporary suspension of privileges, not to exceed seven (7) days (0-7 max)
- Loss of two (2) visiting days, depending upon the custody level of offender (no offender will lose more than four (4) consecutive visiting days at any one time)

The completed Informal Resolution form is placed in the accused offender's unit/working file for future reference. When an offender is found guilty of an informal resolution and loss of privileges is imposed with a beginning/ending date for punishment, copies should be forwarded to:

- Case Manager
- Canteen Manager
- Telecommunications Department
- Visitation Department

If the accused offender disagrees with the Informal Resolution, then a Formal Resolution will be prepared and forwarded to the Facility Disciplinary Authority.

Restrictions

Informal Resolution action will not be capricious or in the nature of retaliation or revenge. Corporal punishment of any kind is strictly prohibited.

Informal Resolution actions are **NOT** subject to the Administrative Remedy Program.

Changes and Recommendations

These procedures will not be deviated from for any reason. These procedures will also be reviewed annually for soundness and validity and to incorporate any changes deemed necessary.

Formal Resolution Process

Adult Community Residential Services: An offender charged with a major rule violation receives a written statement of the alleged violation(s), including a description of the incident and specific rules violated [4-ACRS-6C-02].

Adult Correctional Institutions: Written policy, procedure, and practice provide that when rule violations require formal resolution, staff members prepare a disciplinary report and forward it to the designated supervisor [5-ACI-3C-07].

Adult Correctional Institutions: Disciplinary reports prepared by staff members include, but are not limited to, the following information:

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 5 of 20

- 191 • specific rule(s) violated
- 192 • a formal statement of the charge
- 193 • any unusual inmate behavior
- 194 • any staff witnesses
- 195 • any physical evidence and its disposition
- 196 • any immediate action taken, including the use of force
- 197 • reporting staff member's signature and date and time of report [5-ACI-3C-08].

198
199 Additional information for disciplinary reports includes:

- 200
- 201 • Pin number (if applicable)
- 202 • Offender's name, number, housing unit, zone/tier, cell/bed
- 203 • Location of incident
- 204 • Weapon involved
- 205 • Offender's signature and date unless refused
- 206 • Indication of requested investigation, witnesses, if any, and if accused inmate chose to
- 207 waive hearing rights
- 208 • Delivering officer's name, signature, date, and time RVR was delivered to the offender

209 Preparation of RVR

210
211 An offender may be issued a RVR if he/she:

- 212
- 213
- 214 a) Attempts to commit a rule violation
- 215 b) Solicits another or others to commit the rule violation
- 216 c) Conspires with another or others to commit the rule violation
- 217 d) Aids the action of another or others in committing the rule violation

218
219 As soon as reasonably possible after discovery that the aforementioned has occurred or a
220 violation has been committed, the officer who witnesses or any employee having knowledge of
221 the incident will prepare the RVR.

222
223 All rule violation reports will be legible to the extent possible under the circumstances.

224 Delivery of RVR to Offender

225
226 The first copy of the RVR will be delivered to the accused offender within twenty-four (24)
227 hours of the time the violation is discovered.

228
229 If the offender refuses to sign for delivery of the RVR, two (2) staff members must witness the
230 refusal.

231
232 The delivering employee will also document the offender's request for investigation, list
233 witnesses on the RVR and indicate whether the offender wishes to waive his/her hearing.

234
235 Two (2) staff members must witness the offender's wishes to waive his/her rights to a hearing.

236
237 This must be done whether the offender signs or refuses to sign for delivery of the RVR.
238 Record of delivery will be made on the RVR showing date, time, and who delivered the copy.
239

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 6 of 20

Adult Correctional Institutions: Written policy, procedure, and practice provide that an inmate charged with a rule violation receives a written statement of the charge(s), including a description of the incident and specific rules violated. The inmate is given the statement at the same time that the disciplinary report is filed with the disciplinary committee but no less than 24 hours prior to the disciplinary hearing. The hearing may be held within 24 hours with the inmate's written consent [5-ACI-3C-11].

Indication should be made on the RVR if the offender was placed in Administrative Segregation pending disciplinary hearing.

After all essential information has been recorded by the reporting employee, the RVR will be reviewed by the Unit Administrator or designee for completeness and to ensure the incident could not be handled by Informal Resolution.

If approved, the Unit Administrator or designee will initial the top left corner of the RVR, enter a Pending RVR Alert in Offendertrak, and immediately forward the RVR to the Facility Disciplinary Authority or designee.

Pre-Hearing Status

Adult Correctional Institutions: Within the disciplinary procedures document there is provision for prehearing detention of inmates who are charged with a rule violation. The inmate's pre-hearing status is reviewed by the warden/superintendent or designee within 72 hours, including weekends and holidays [5-ACI-3C-10].

Refer to procedures for Offender Segregation, 19-01-01.

Investigation

Adult Correctional Institutions: Written policy, procedure, and practice specify that, when an alleged rule violation is reported, an appropriate investigation is begun within 24 hours of the time the violation is reported and is completed without reasonable delay, unless there are exceptional circumstances for delaying the investigation [5-ACI-3C-09].

The Disciplinary Investigator will begin an investigation within 24 hours of the time the rule violation is reported and will complete it without reasonable delay, unless there are exceptional circumstances. (Refer to the Investigation Guide and Incident Investigation Form)

Exceptional circumstances for delaying an investigation may include, but not be limited to the following:

- The accused offender is not available to give a statement (i.e., medical reason, away from facility)
- Other offender witnesses are not available to give statements for the same reasons
- Staff witnesses are not available to give statements
- Inclement weather conditions
- Institutional emergency
- Any extraordinary circumstances approved, in writing, by the Superintendent/Community Corrections Director

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 7 of 20

Note: Such exceptions will be noted in the completed investigation package.

The Superintendent/Community Corrections Director or designee will approve such exceptions in writing.

The investigation will be commenced regardless if the offender requests it or not.

Investigator

- The Disciplinary Investigator will not be the same staff as the staff that reported the incident or wrote the RVR.
- The Disciplinary Investigator will be neutral and unbiased in conducting interviews and gathering information.
- In seeking the truth, the Disciplinary Investigator will interview the accused and any other persons considered having pertinent information.
- The Disciplinary Investigator will provide factual information, and will have access to all information concerning the offender's act of misbehavior and will receive cooperation from all personnel.
- Any staff member called as a witness will not refuse to give a statement.
- The Disciplinary Investigator will be subject to call any witness to appear at the hearing.
- The Disciplinary Investigator will indicate the offender's current job assignment and any educational programs.

Witnesses

The offender charged with a rule violation will be allowed to present documentary evidence and call defense witnesses unless:

- Permitting offender to do so will be unduly hazardous to institutional safety and security.
- Witness was not present when the violation occurred or has no firsthand knowledge of the incident, or investigation discloses that the called witness's testimony would be repetitive of all other called witnesses. In such cases, the accused will be permitted to select no more than two (2) witnesses.

If the witness is not readily available for the hearing due to being away from the facility/housing unit where the RVR is being heard, a statement may be obtained by the investigator to be used in place of the witness's personal appearance. The investigator may obtain a transcribed statement over the telephone.

Adult Correctional Institutions: Written policy, procedure, and practice provide that inmates charged with rule violations are present at their hearings unless they waive that right in

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 8 of 20

writing or through their behavior. Inmates may be excluded during the testimony of any inmate whose testimony must be given in confidence; the reasons for the inmate's absence or exclusion are documented [5-ACI-3C-16].

At the discretion of the Hearing Officer, private testimony may be taken whenever it is determined that revealing the identity of the witness may subject him to personal danger. Reasons for the witness's exclusion or absence will be documented and the accused offender will be notified.

Questions may be asked of any witness called to the meeting.

Disciplinary Hearing

Adult Correctional Institutions: Written policy, procedure, and practice provide that disciplinary hearings on rule violations are conducted by an impartial person or panel of persons. A record of the proceedings is made and maintained for at least six months [5-ACI-3C-15].

Refer to the Rule Violation Report (RVR) Hearing Script.

The Hearing Officer will hear all pertinent information surrounding an alleged rule violation.

The Hearing Officer will question the accused offender, witnesses and any other person appearing at the hearing.

Adult Correctional Institutions: Written policy, procedure, and practice provide that inmates have an opportunity to make a statement and present documentary evidence at the hearing and can request witnesses on their behalf; the reasons for denying such a request are stated in writing [5-ACI-3C-17].

The Hearing Officer will exercise control of all questioning to prevent harassment, abuse, repetition, deficiency of relevancy, and to maintain order.

The accused, any witnesses and the accuser, if present, may be excused from the hearing during deliberation.

Adult Correctional Institutions: Written policy, procedure, and practice provide that the disciplinary committee's decision is based solely on information obtained in the hearing process, including staff reports, the statements of the inmate charged, and evidence derived from witnesses and documents [5-ACI-3C-19].

The RVR will be affirmed if some evidence indicates the underlying action(s) occurred.

The RVR itself may be used as the sole basis for the Hearing Officer's decision.

The Hearing Officer will render a fair and just punishment for a factual finding and must sign his/her name to each RVR.

A copy of written findings will be given to the offender as soon as reasonably possible after the hearing.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 9 of 20

The accused will be advised of his appeal rights.

Adult Correctional Institutions: Written policy, procedure, and practice provide that an inmate may waive the right to a hearing provided that the waiver is documented and reviewed by the chief executive officer or designee [5-ACI-3C-12].

An offender may waive the right to a hearing, provided the waiver will be documented and reviewed by the Superintendent, Warden or designee and/or Community Corrections Director or designee.

Adult Correctional Institutions: Written policy, procedure, and practice provide that a written record is made of the decision and the supporting reasons, and that a copy is given to the inmate. The hearing record and supporting documents are kept in the inmate's file and in the disciplinary committee's records [5-ACI-3C-20].

The hearing will be recorded and a record of the proceedings will be maintained for a minimum of three (3) years.

If an offender is transferred to another facility prior to a disciplinary hearing, the RVR will be immediately forwarded to the Superintendent, Warden or Community Corrections Director of the receiving facility, who will ensure that it is processed.

Adult Correctional Institutions: Written policy, procedure, and practice provide for review of all disciplinary hearings and dispositions by the warden/superintendent or designee to assure conformity with policy and regulations [5-ACI-3C-22].

All completed RVR's will be forwarded to the Warden/Community Corrections Director or designee for review.

Timelines of Disciplinary Hearing

Adult Correctional Institutions: Written policy, procedure, and practice provide that inmates charged with rule violations are scheduled for a hearing as soon as practicable but no later than seven days, excluding weekends and holidays, after being charged with a violation. Inmates are notified of the time and place of the hearing at least 24 hours in advance of the hearing [5-ACI-3C-13].

The Hearing Officer will conduct the disciplinary hearing within seven (7) working days after the violation occurred. If more than seven (7) working days have elapsed, a written explanation must be included.

Adult Correctional Institutions: Written policy, procedure, and practice provide for postponement or continuance of the disciplinary hearing for a reasonable period and good cause [5-ACI-3C-14].

This must be documented on the RVR.

Rights of the Accused

The accused must be present at the hearing unless he refuses to appear or use of force would

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 10 of 20

be required to enforce attendance. In this case, the hearing will continue in his absence. The reason for the offender's exclusion or absence will be documented on the RVR form and entered into the record during the hearing. No absentia hearing will be held when the offender is mentally disturbed to such extent that meaningful participation would be precluded, or when the offender is an escapee-at-large.

Established time frames and procedural requirements listed in this standard operating procedure are advisory guidelines and do not constitute a due process right to the offender.

The Agency's failure to abide by the time frames and procedural requirements will not be a basis for dismissal of the RVR.

Adult Correctional Institutions: Written policy, procedure, and practice provide that a staff member or agency representative assists inmates at disciplinary hearings if requested. A representative is appointed when it is apparent that an inmate is not capable of collecting and presenting evidence effectively on his or her own behalf [5-ACI-3C-18].

Disposition and Penalties

The Disciplinary Hearing Officer will consider the seriousness of each incident/violation, to include those incidents/violations listed on the Intensive Supervision Program and Earned Release Certificate and the mental status of each offender when assessing punishment.

Adult Community Residential Services: The facility implements a system of a progressive discipline [4-ACRS-6C-04].

Adult Community Residential Services: Offender rules and disciplinary regulations describe violations, sanctions, and penalties [4-ACRS-3A-01].

Adult Correctional Institutions: Written rules of inmate conduct specify acts prohibited within the institution and penalties that can be imposed for various degrees of violation [5-ACI-3C-01].

Adult Correctional Institutions: All personnel who work with inmates receive sufficient training so that they are thoroughly familiar with the rules of inmate conduct, the rationale for the rules, and the sanctions available [5-ACI-3C-04].

All staff will receive training on the disciplinary procedures to include rules of inmate conduct, the rationale for the rules, and the sanctions available.

RULE VIOLATIONS

The Mississippi Department of Corrections has adopted the following categories of rule violations:

Violation Category A (Minor Violations)

Rule Number	Rule Violation Description
A1	Littering

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 11 of 20

A2	Illegal possession of any item or quantities not on the allowable items list (Minor-Miscellaneous Contraband)
A3	Unauthorized removal of food or utensils from any food service area
A4	Faking illness or injury
A5	Failure to abide by any published institutional schedule or documented rules
A6	Violating the institutional dress code or grooming standards
Sanctions for Violation Category	
Reprimand and warning.	
Restriction of all privileges not to exceed one (1) month, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.	
Loss of privileged housing, job or meritorious living conditions.	
Restitution	
Recommend custody review	

483

Violation Category B (Serious Violations)

Rule Number	Rule Violation Description
B1	Improper or unauthorized use of state equipment or materials
B2	Interfering with an employee in the performance of their duty
B3	Refusing or failing to obey an order of staff
B4	Violation of mail, telephone, or visiting regulations
B5	Failure to clean bed area or pass bed area inspection
B6	Breaking or entering into another inmate's locker, room, cell or living unit
B7	Refusing or failing to carry out work assignment
B8	Physical action against another person where no physical injury has occurred, including horseplay
B9	Inflicting injury to self (Self-Mutilation)
B10	Tattooing or piercing self or others or allowing self to be tattooed or pierced
B11	Being in a restricted or unauthorized area
B12	Violating a condition of any outside work assignment
B13	Abusive, disrespectful, vulgar, obscene or threatening language, gestures or actions directed toward or about any person
B14	Lying to an employee
B15	Unauthorized communication with any member of the public, staff, or between inmates

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 12 of 20

B16	Disruptive behavior or disorderly conduct which threatens the orderly running of the facility
B17	Refusing or failing to submit to a drug urinalysis test (Refer to Special Circumstances 18.01.01 for punishment)
B18	Smuggling of contraband items into, out of, or within the institution
B19	Engaging in extortion or blackmail, bribery, loan sharking, collecting or incurring debt
B20	Refusing or failing to comply with institutional count or lockup procedures
B21	Nonviolent demonstration or inciting a nonviolent demonstration that may lead to a disruption of institutional operations
B22	Negligent or deliberate destruction, alteration or defacing of state, personal, or community property valued less than \$100
B23	Deliberately or negligently causing a fire
B24	Inappropriate sexual behavior with another person or indecent exposure (Masturbation)
B25	Gambling
B26	Stealing
B27	Making threatening or intimidating statements
B28	Refusing to submit to a search
B29	Pursuing or developing a relationship that is unrelated to correctional activities with a non-inmate (Fraternization)
B30	Possession of serious contraband to include but not limited to: <ul style="list-style-type: none"> • Money • State equipment or materials • Gang paraphernalia • Tobacco products (Not in canteen list-Includes the Use of Tobacco or accessories and electronic cigarettes) • Gambling paraphernalia • Stolen property less than \$100 • Tattoo or body-piercing paraphernalia Drug paraphernalia
B31	<ul style="list-style-type: none"> • Failure to abide by the "statement of conditions" of release for Earned Release Supervision, Medical Release or Intensive Supervision Program or 72 Hour Honorary Leave Agreement
B32	Absconding supervision from community supervision
B33	Giving or receiving anything of value to or from another
Sanctions for Violation Category	
Restriction of all privileges not to exceed one (1) month, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.	
Loss of privileged housing, job or meritorious living conditions.	
Restitution	

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 13 of 20

Recommend custody review
Assignment to disciplinary segregation for a maximum of twenty (20) days, each offense.
Upon a guilty finding, in addition to any other authorized sanction for this category of rule violations, the disciplinary hearing officer will recommend the following progressive disciplinary sanction:
<ul style="list-style-type: none"> • If an inmate has accumulated three (3) Category B rule violations within a six (6) month period, the offender will lose thirty (30) days of earned time. • Receiving a 4th RVR within a six (6) month period will result in an additional loss of sixty (60) days of earned time • Receiving a 5th RVR within a six (6) month period will result in an additional loss of ninety (90) days of earned time • In addition to all previous loss of earned time under Category B, upon receiving six (6) or more RVRs within a six (6) month period will result in the same sanctions listed under Category C Rule Violations

484

Violation Category C (Major Violations)

Rule Number	Rule Violation Description
C1	Negligently or deliberately destroying, altering or defacing of state, personal, or community property valued at \$100 or more
C2	Destroying or tampering with life safety equipment, locking or security devices
C3	Tampering with physical evidence or hindering an investigation
C4	Using mail to obtain money, goods or services by fraud
C5	Involvement in disruptive, assaultive, or criminal gang activity
C6	Escape
C7	Possession of major contraband to include but not limited to: <ul style="list-style-type: none"> • Firearms • Sharpened instrument or knife • Other objects capable of inflicting death • Tools • Explosives/ammunition • Medication (prescription, non-prescription) • Illegal drugs • Electronic devices or parts • Escape paraphernalia • Staff clothing or uniform related items • Stolen property over \$100 (Refer to Special Circumstances, 18.01.01)
C8	Assaultive action against any person or staff member resulting in serious physical injury

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 14 of 20

C9	Physical action resulting in the death or murder of any person
C10	Hostage taking
C11	Inciting to riot or rioting
C12	Arrest for criminal activity while on 72 Hour Leave
C13	Unauthorized use of drugs or intoxicants or testing positive for either (Refer to Special Circumstances 18.01.01 for punishment)
	Sanctions for Violation Category
Restitution	
Recommend custody review	
Assignment to disciplinary segregation for a maximum of twenty (20) days, each offense	
Restriction of privileges not to exceed two (2) months, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.	
Removal from 30/30 trusty status for a period of six (6) months (Only if offender is receiving 30/30 trusty status).	
If the offender does not receive 30/30 trusty status, the offender will lose 180 days of earned time (e.g., MET, TET, Earned Time).	
Loss of all earned time (Earned time is to be forfeited for escapees or aiding and abetting an escape pursuant to MCA 47-5-139)	
Suspension of visitation and commissary privileges for 18 months for offenders found guilty by a Disciplinary Hearing Officer of assaulting a staff member. Loss of all earned time and Trusty status	
Loss of 6 months Canteen and Visitation for Major Contraband C-7 – No exceptions	
If the RVR is a C8, the inmate will have his account frozen and will be liable for medical costs associated for the assaultive behavior. (Off-site medical \$1,500; onsite \$500)	

SPECIAL CIRCUMSTANCES

In addition to any other penalty or penalties which will be imposed the following actions will be taken:

- A second (2nd) sanction may be given for each serious or major violation as long as it is listed under the authorized sanction for that rule violation
- Time spent in pending disciplinary segregation (PDA) will be credited against any subsequent discipline imposed
- Objective Reclassification if warranted (Refer to Institutional Classification Handbook)
- Referral to District Attorney if warranted
- The first time a Community Work Center, County State Work Program, or Restitution Center offender tests positive or refuses to submit a urine sample, he/she will be referred to A&D (max 3 months). These offenders will not have their custody reduced or reclassified with the objective classification instrument.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 15 of 20

- Earned time is to be forfeited for escapees or aiding and abetting an escape pursuant to MCA 47-5-139.
- Offenders who receive a RVR for C-8, "Assaultive action again any person or staff member resulting in serious physical injury" and are found guilty by a Disciplinary Hearing Officer of assaulting a staff member, will have visitation and commissary privileges suspended for 18 months. Loss of all earned time and Trusty status.
- Offenders in Institutions, Private Prisons and County Regional Facilities who are charged with **possession of electronic devices or parts** will receive:
 1. Removal from trusty earned time for six (6) months if they are receiving 30/30 trusty time
 2. Loss of 180 days of trusty time if in 10/30 trusty status
 3. Loss of earned time up to 180 days if not in trusty status
- Offenders in Community Work Centers who are charged with **possession of electronic devices or parts** will receive:
 1. For the first RVR, removal from trusty status for a period of 6 months or loss of 180 days earned time
 2. For the second RVR, loss of honorary leave and suspension of visitation and commissary privileges for 18 months

MDOC may deviate from these advisory guidelines based on the severity of the offense, a history of offenses, and other factors.

Sanctions for youth housed in the Youthful Offender Unit (YOU) by Category

Category A (Minor Violations)

1. Verbal reprimand and warning
2. Reduction of maximum behavior points for that period
3. Loss of telephone, visitation, and store privileges earned through the Behavior Management Program
4. Reduction s to a lower privilege through the Behavior Management Program
5. Activity Restriction
6. Early Bed

Category B (Serious Violations)

1. Restitution
2. Extreme work detail
3. Isolation/segregations
4. Loss of Job, housing privileges
5. Activity Restriction
6. Reduction of Level or more than one level through the Behavior Management Program
7. Loss of visitation earned through the Behavior Management Program
8. Loss of telephone call earned through the Behavior Management Program.

Category C (Major Violations)

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 16 of 20

1. Restriction
2. Reduction of Positive Behavior Management Points
3. Reduction of Level of Behavior Management Program
4. Extensive Work Detail
5. Disciplinary Isolation
6. Major Sanction added to a serious sanction
7. Loss of one month of telephone calls earned through the Behavior Management Program

Evidence

Any and all evidence, with the exceptions referenced in policy 16-14, Preservation of Physical Evidence, accompanying a RVR will be recorded, labeled and stored securely at the Central Disciplinary Office. After the RVR is heard and the findings are known and unless further need for same, the evidence will be held ninety (90) days then destroyed in the following manner:

- All drugs or drug paraphernalia seized will be turned over to Corrections Investigation Division (CID)
- All recyclable metals and plastics will be turned over to the Property Office
- All sharp instruments (i.e., knives and shanks) will be turned over to the K-9 staff for destruction. **Note: Weapons used in assaults on staff and/or inmates will be remanded to CID**
- All paper, cloth and other miscellaneous items will be turned over to the Fire and Safety Inspector
- Cell phones and cell phone related accessories confiscated from offenders housed in Community Work Centers, Private Facilities and Regional Facilities are to be forwarded to the Corrections Investigation Division (CID) Office located at the Central Office. Items confiscated at the State Institutions are to be forwarded to the Institutional CID Office. The confiscated items along with the appropriate documentation for each item are to be forwarded immediately or after final disciplinary action. Any item needed for criminal prosecution should be forwarded upon completion of prosecution unless otherwise directed by the prosecutor.

Offender Not Guilty/Dismissed

Adult Correctional Institutions: Written policy, procedure, and practice provide that if an inmate is found not guilty of an alleged rule violation, the disciplinary report is removed from all of the inmate's files [5-ACI-3C-21].

Assistance to an Offender in a Hearing

When it is apparent that an offender is not capable of effectively collecting and presenting evidence on his own, a representative will be appointed to assist the offender. The Superintendent or designee will make available representatives capable of assisting offenders in disciplinary hearings and filing appeals upon offender's request.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 17 of 20

Notification and Punishment

- The Institutional Hearing Officer (IHO) will log all RVR's and final dispositions on a daily basis.
- This log will be forwarded to the appropriate Warden/Community Corrections Director or designee and to appropriate departments prior to the conclusion of each workday.
- They will ensure the immediate imposition of punishment.

Disciplinary Hearing Docket

The responsible Disciplinary Hearing Officer will prepare a Disciplinary Hearing Docket for all daily scheduled offender disciplinary hearings. The docket will include for each offender:

- Date of hearing
- Name and MDOC number of the offender
- Housing and work/program assignment of the offender
- Rule violation number(s)
- Finding
- Recommended sanctions (if applicable)
- Name and title of the Disciplinary Hearing Officer

The Disciplinary Hearing Docket will be submitted to the responsible Associate Warden or designee at the conclusion of offender disciplinary hearings each day. A weekly rule violation pending log report will be submitted to the area warden.

Adult Community Residential Services: The facility's disciplinary process is defined and provides appropriate procedural safeguards, to include:

- Report of incident and charge
- Notice
- Time to prepare for hearing
- Assistance as needed
- Timely hearing
- Opportunity to present evidence
- Fair decision
- Written notice of decision
- Opportunity to appeal [4-ACRS-6C-03].

Appeals

Adult Correctional Institutions: Written policy, procedure, and practice grant inmates the right to appeal decisions of the disciplinary committee to the warden/superintendent or designee. Inmates have up to 15 days of receipt of the decision to submit an appeal. The appeal is decided within 30 days of its receipt, and the inmate is promptly notified in writing of the results [5-ACI-3C-23].

The offender may appeal the decision of the hearing officer by using the Administrative Remedy Program (ARP).

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 18 of 20

If the offender refuses to sign for the RVR, the RVR will be documented that the offender refused to sign. The offender will have fifteen (15) days to appeal the RVR decision.

RVR appeals will not be logged and set aside.

At the time of notification of a guilty finding in a disciplinary hearing, the inmate will be notified that he/she has the right to appeal any decision of, or disciplinary action taken by the Disciplinary Hearing Officer, directly to the Warden/Community Corrections Director or designee of the unit/center involved via the Legal Claims Adjudicator.

This notification will be documented by having the inmate sign the front of the RVR indicating that he/she understands the right to appeal.

If the inmate waives his/her right to appear and is found guilty, he/she cannot appeal the decision.

The appeal will be submitted in writing within fifteen (15) days after a copy of the Disciplinary Hearing Officer's decision is offered to the inmate and will set forth in detail the grounds for any appeal.

In the event the inmate is illiterate, at the request of the inmate, the inmate's case manager may assist him/her in writing the letter of appeal.

The Warden/Community Corrections Director or designee has thirty (30) calendar days from receipt of the appeal to respond.

During the appeal, the reviewer may affirm the action of the Disciplinary Hearing Officer or alter it as he/she deems just and proper except at no point in the appeal process will the penalty be increased.

If the offender is not satisfied, he/she may file suit in state or federal court. The offender must provide the ARP number on the court forms.

Criminal Violation

Adult Correctional Institutions: Written policy, procedure, and practice provide that, where an inmate allegedly commits an act covered by criminal law, the case is referred to appropriate court or law enforcement officials for consideration for prosecution [5-ACI-3C-06].

The Hearing Officer will forward a copy of any RVR considered felonious to the Corrections Investigation Division along with all relevant documents (i.e., Incident Reports, Use of Force Reports) concerning the violation for consideration of prosecution.

This will not interfere with processing the rule violation through the administrative disciplinary hearing by the Hearing Officer.

Restrictions

Disciplinary action will not be capricious or in the nature of retaliation or revenge. Corporal punishment of any kind is strictly prohibited.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 19 of 20

Rule Violation Report Filing

When an inmate is found guilty of a rule violation the original RVR and all supporting documentation attached to it will be placed in the inmate's permanent MDOC master file.

Procedure for Loss of Earned Time

1. Designated Disciplinary Staff and Associate Warden or designee (IHO) will enter the RVR and findings into Offendertrak within twenty-four (24) hours after the disciplinary hearing is conducted. This includes all punishment(s) with starting and ending dates for the imposed punishment. Hearings conducted on weekends/holidays will be entered no later than the next working day.
2. The designated staff person who enters the RVR, which resulted in loss of earned time, is responsible for forwarding the original RVR with all supporting documentation to the Commissioner or designee for final approval. At Regional facilities, the Warden is responsible for forwarding the RVR and the supporting documentation to the Commissioner or designee.
3. The Commissioner or designee will forward all approved Loss of Earned Time RVRs to MDOC Records Department in order to modify the entry into Offendertrak accordingly.

Procedures for Removal from Trusty Status

1. Designated Disciplinary Staff and Associate Warden or designee (IHO) will enter the RVR and findings into Offendertrak within twenty-four (24) hours after the disciplinary hearing is conducted. This includes all punishment(s) with starting and ending dates for the imposed punishment. Hearings conducted on weekends/holidays will be entered no later than the next working day.
2. Any rule violation that requires reclassification or removal from 30/30 trusty status will be delivered to the Associate Warden at state facilities the Classification Supervisor at private facilities, and the Warden at Regional facilities.
3. The Associate Warden, Classification Supervisor, or Warden will review and take the appropriate action by ensuring that a Staff Request is completed recommending the inmate be removed from Trusty Status. The rationale or justification and effective date for removal should be included on the Staff Request. The effective date for removal will be the date the inmate was found guilty of the rule violation.
4. The Associate Warden, Classification Supervisor, or Warden will review the Staff Request for its accuracy and forward it to the appropriate Assistant Director of Offender Services (ADOS).
5. Upon receiving the Staff Request, the ADOS will review and finalize the Staff Request within OffenderTrak.
6. Upon approval of the Staff Request, the ADOS will submit the Staff Request via the workflow inbox to the designated Records Staff.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 20 of 20

750

751

DOCUMENTS REQUIRED:

752

753

As required by this procedure and through the chain of command.

754

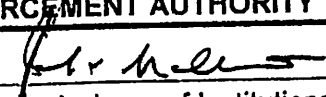
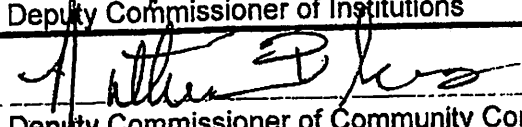
ENFORCEMENT AUTHORITY	
Reviewed and Approved for Issuance	 11-18-21 Deputy Commissioner of Institutions Date
	 11-29-21 Deputy Commissioner of Community Corrections Date

Exhibit # 17

ARP-2

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-634

FIRST STEP RESPONSE FORM
For RVRs

You must return your response to the Legal Claims Adjudicator within 30 days of the date you signed for this request.

Offenders' Name and #: Jason Holloway #M0998
Unit: Wilkinson County Correctional Facility

1st Step Respondent: D. Vannoy
Title: Warden

In response to your ARP claim. In reference to your Rule Violations Report appeal. The information gathered reveals according to the reporting employee Sgt. Hall you tested positive for BUP 5 on your urine test and refused to submit to a urinalysis test on 7/16/2021. Your appeal is denied. RVR's #1939652 and #1939707 will not be expunged from your file. I consider this matter resolved at this level.

Signature

Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program for an RVR appeal and is eligible to seek judicial review within 30 days of receipt of this First Step Response.

Inmate's Signature

DOC #

Date

Exhibit # 18

ARP-2

**MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program**

WCCF-22-89

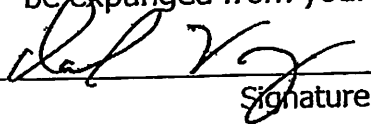
**FIRST STEP RESPONSE FORM
For RVRs**

You must return your response to the Legal Claims Adjudicator within 30 days of the date you signed for this request.

Offenders' Name and #: **Jason Holloway #M0998**
Unit: **Wilkinson County Correctional Facility**


1st Step Respondent: **D. Vannoy**
Title: **Warden**

In response to your ARP claim. In reference to your Rule Violation Report appeal. The information gathered reveals according to Sgt. Hall you refused to submit urine for a reasonable suspicion drug test. Your appeal is denied. RVR #2011878 will not be expunged from your file. I consider this matter resolved at this level.


Signature

2/28/22
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program for an RVR appeal and is eligible to seek judicial review within 30 days of receipt of this First Step Response.

 M0998
Inmate's Signature DOC #

3-2-22
Date

In The United States District Court For
The Southern District of Mississippi

Jason Holloway

Plaintiff

vs

civil action No. 5:21-cv-63-KS-RHWK

Scott Middlebrooks et al

Defendants

Motion For The Appointment
Of Counsel

Plaintiff, Jason Holloway, pursuant to § 1915,
request this Court to appoint counsel to represent
him in this case for the following reasons.

1. The plaintiff is unable to afford counsel.
2. The issues involved in this case are complex.
3. The plaintiff, as a Protective Custody inmate, has extremely limited access to the law library.

pg 2 of 2

4. Over 30 days ago, the plaintiff wrote letters to three attorneys, Thom Glenn, Jacob Howard, and King & Spalding Law Firm, asking them to handle his case but he has not heard from any of them.
5. The plaintiff has a little limited knowledge of the law.

Where fore, this Honorable Court should appoint counsel to represent the plaintiff.

Respectfully Submitted,

Jason Holloway

8-31-22

Jason Holloway # M0998

WCCF E-207

P.O. Box 1889

Woodville, MS 39669

In The United States District Court For The
Southern District of Mississippi

Jason Holloway # M0998

Plaintiff

vs

civil action no. 5:21-cv-63-KS-RHWR

Scott Middlebrooks et al

Defendants

Declaration In Support of Plaintiff's
Motion For The Appointment of Counsel

Jason Holloway states:

1. I am the plaintiff in the above-entitled case. I make this declaration in support of my motion for this appointment of counsel.
2. The complaint in this case alleges that the plaintiff was denied his religion, denied adequate medical care, and denied due process. The plaintiff also is challenging the condition of his confinement.

3. This is a complex case because it contains several different legal claims, with each claim involving a different set of defendants.
4. This case involves medical issues that may require expert testimony.
5. The plaintiff has demanded a jury trial.
6. The case will require discovery of documents and depositions of a number of witnesses.
7. The testimony will be in sharp conflict on several of the issues raised by the plaintiff.
8. The plaintiff has only a GED and has very limited legal education.
9. The plaintiff is serving his sentence on Protective Custody. For this reason, he has very limited access to legal materials and has no ability to investigate the facts of the case, for example, by locating and

pg 3 of 3

interviewing other staff and inmate witnesses

10. As set forth in the Memorandum of Law submitted with this motion, these facts, along with the legal merit of plaintiff's Claims, support the appointment of counsel to represent the plaintiff.

Wherefore, the plaintiff's motion for appointment of counsel should be granted.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Signed this the 31 day of May, 2022.

Respectfully Submitted,
Jim Hany

Jason Holloway # M0998
WCCF E-207
P.O. Box 1889
Woodville, MS 39669

In The United States District Court For The
Southern District of Mississippi

Jason Holloway

Plaintiff

vs

civil action no. 5:21-cv-63-KS-RHWR

Scott Middlebrooks et al

Defendants

Memorandum of Law IN Support of
Plaintiff's Motion For The Appointment of Counsel

Statement of the Case

This is a civil rights case filed under 42 U.S.C. § 1983 by a state prisoner and asserting claims for the unconstitutional denial of religion, denial of due process, denial of adequate medical care and conditions of confinement. The plaintiff seeks damages as to all claims and injunction relief

Statement of Facts

The Complaint alleges that the plaintiff was denied the right to practice his religion, that he was denied due process at all of his disciplinary hearings, that he was denied adequate medical care, that staff failed to follow the doctors orders to his medical ordered diet and his conditions of confinement.

Argument

In deciding whether to appoint counsel for an indigent litigant, the court should consider "the factual complexity of the case, the ability of the indigent to investigate the facts, the existence of conflicting testimony, the ability of the indigent to present his claim and complexity of the legal issues." Ulmer v Chancellor 691 F.2d 209 (5th Cir 1982)

In addition, courts have suggested that the most important factor is whether the case appears to have merit. Carmona v U.S. Bureau of Prisons, 243 F.3d 629 (2nd Cir. 2001)

1. Factual Complexity. The plaintiff alleges that several

Staff at W.C.C.F. who are named defendants in this case violated several of the plaintiff's constitutional rights, by denying him to practice his religion, denied him adequate medical care, failed to follow the doctors orders of his medical ordered diet, denied him due process at his disciplinary hearings, and challenging his conditions of confinement. The sheer number of claims and defendants makes this a factually complex case.

In addition, one of the plaintiff's claims involve the denial of medical care; it will probably be necessary to present a medical expert witness or to cross-examine medical witnesses called by the defendants, or both. The presence of medical or other issues requiring expert testimony supports the appointment of counsel. Montgomery v Pinchak, 294 F.3d 492 (3rd Cir 2002); Moore v Mabius, 976 F.2d 268 (5th Cir 1992); Jackson v. County of McHenry, 953 F.2d 1070 (7th Cir 1992).

2. The plaintiff's ability to investigate. The plaintiff

is a Protective Custody inmate and has no ability to investigate the facts. For example, he is unable to identify, locate, and interview other inmates who were housed on the same zone as he is and have been moved to other facilities. He is in the same situation with regard to developing the facts from other staff members that no longer work at the facility, a factor that several courts have cited in appointing counsel.

Tucker v Randell, 948 F.2d 288 (7th Cir 1991); Gaston v Coughlin, 679 F.Supp. 270 (W.D.N.Y. 1988). In addition, this case will require considerable discovery concerning the identity of witnesses, the officers' reports and statements regarding the disciplinary hearings and the plaintiff's medical history. See Pacham v Johnson, 126 F.3d 454 (3rd Cir 1997) (holding counsel should have been appointed because "prisoners lack of legal experience and the complex discovery rules clearly put him at a disadvantage in countering the defendants' discovery tactics ... these [discovery] rules prevented [the plaintiff] from presenting an effective case below.").

3. Conflicting Testimony. The plaintiff's account of all

the constitutional violations will be in great conflict with the testimony of the defendants. This aspect of the case will be a credibility contest between the defendants and the plaintiff (and such inmate and other witnesses as can be located). The existence of these credibility issues supports the appointment of counsel. Steele v Shah, 87 F.3d 1266 (11th Cir 1996); Gaston v Coughlin, 679 F.Supp. at 273.

4. The ability of the indigent to present his claim. The plaintiff is an indigent prisoner with no legal training, a factor that supports the appointment of counsel. Branch v Cole, 686 F.2d 264 (5th Cir 1982); Forbes v Edgar, 112 F.3d 262 (7th Cir 1997). In addition, he is confined to a zone as a Protective Custody inmate with very limited access to legal materials. Rayes v Johnson, 969 F.2d 700 (8th Cir 1992) (citing lack of ready access to a law library as a factor supporting the appointment of counsel).

5. Legal Complexity. The large number of defendants, some who are supervisory officials, presents complex

legal issues of determining which defendants were sufficiently personally involved in the constitutional violations to be held liable, Hendricks v Coughlin, 114 F3d 390 (2d Cir 1997).

6. Merit of the Case. The plaintiff's allegations, if proved, clearly would establish constitutional violations. The denial of religion in the complaint clearly states a 1st Amendment Claim.

The allegations of denial of medical care amount to deliberate indifference to prisoners medical needs, Estelle v Gamble, 429 U.S. 97 (1976). The unjustified denial of witnesses, conviction of a disciplinary offense with no supporting evidence, and the failure to give a meaningful statement of reasons for the decisions are all violations of clearly established due process principles. See Ponte v Real, 471 U.S. 491 (1985); Superintendent v Hill, 472 U.S. 445 (1985); Wolff v McDonnell, 418 U.S. 539 (1974). On its face, then, this is a meritorious case.

Conclusion

pg 7 of 7

For all the foregoing reasons mentioned herein,
the court should grant the plaintiff's motion AND
appoint counsel in this case.

Respectfully Submitted,

Jim Hay

5-31-22

Jason Holloway # MD998

W.C.C.F. E-207

P.O. Box 1889

Woodville, MS 39669

In The United States District Court
For The Southern District of Mississippi

Holloway

Plaintiff

vs

case no. 5:21-cv-63-KS-RHWR

Middlebrooks et al

Defendant(s)

Plaintiff's Complete Amended
Complaint With Jury Demand

I Jurisdiction + Venue

1. This is a civil action authorized by 42 U.S.C. Section 1983 to redress the deprivation, under color of state law, of rights secured by the United States Constitution and the Mississippi Constitution. The Court has jurisdiction under 28 U.S.C. Section 1331 and 1343 (a)(3). Plaintiff seeks declaratory relief pursuant to 28 U.S.C. Section(s) 2201 and 2202. Plaintiffs' claims for injunctive relief are authorized by 28 U.S.C. section(s)

2283 AND 2284 AND Rule 65 of the Fed. R. C.P.
The plaintiff also seeks damages. The plaintiff
also alleges the torts of negligence under
Mississippi Law.

II Plaintiff

2. Plaintiff, Jason Holloway, is AND was at
all times mentioned herein a prisoner of the
State of Mississippi in the custody of the
Mississippi Department of Corrections (M.D.C.)
He is currently confined at the Wilkinson
County Correctional Facility (W.C.C.F.). He has
been housed at WCCF since Feb. 25th 2021 AND
he is still currently housed at W.C.C.F.

III Defendants

3. Defendant, Scott Middlebrooks is the former
warden of W.C.C.F. AND he is tasked with the
orderly running of the facility AND making
sure that the plaintiff receives adequate medical

care, that is medical ordered diet is followed, that he receives fair hearings at his disciplinary hearings, that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his firm religious belief and that there is adequate staff to safely run the prison.

4. Defendant, Dr. J. Burke is the medical doctor at W.C.C.F. And has the task to make sure the plaintiff receives adequate, timely medical, dental, and mental health treatment.
5. Defendant, Unknown former H.S.A. Saint Julian is the former Health Service Administrator (H.S.A.) And is responsible for making sure the medical department has adequate staff And that plaintiff receives adequate medical, dental, and mental health treatment.
6. Defendant, Management & Training Corporation (M.T.C.) is a for profit organization And is contracted with M.D.O.C. to operate. And run

W.C.C.F. M.T.C. is responsible for making sure that it properly as adequate staff to operate and safely run the prison. M.T.C. has failed to adequately staff W.C.C.F. and has failed to train, supervise, and provide adequate staff to operate and run W.C.C.F.

7. Defendant, Unknown Dunmore, is the former kitchen supervisor at W.C.C.F. she is responsible for making sure that the plaintiff received his prescribed medical ordered diet and receives adequate nutrition on his trays.

8. Defendant, D. Anthony is the Chaplain at W.C.C.F. and is responsible to make sure that the plaintiff gets to practice his religion as a Muslim and his Islam faith.

9. Defendant, George Castro is the former Deputy Warden at W.C.C.F. and he is responsible for the orderly running of the facility and make sure the plaintiff gets adequate medical.

pg 5 of 34

dental and mental health care, that his medical ordered diet is followed, and that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his religious belief, and that there is adequate staff to properly and safely run the facility

10. Defendant, William DeRevere is the Deputy Warden at W.C.C.F. and is responsible for the orderly running of the facility, and making sure the plaintiff gets adequate medical, dental, and mental health care, that his medical ordered diet is followed, and that he gets to scheduled medical appointments, that all policies are being followed, that he gets to practice his religious belief, and that there is adequate staff to properly and safely run the facility.

11. Defendant, Vital Core Health Strategies is the contracted medical company with M.D.O.C. They are responsible for making sure the plaintiff is provided with adequate medical, dental and

pg 6 of 34

mental health treatments. That there is adequate staff to provide proper medical care.

12. Defendant, Unknown Ware is the disciplinary investigator at W.C.C.F. She is responsible for getting witness statements and investigating the Rule Violation Reports (R.V.R.)

13. Defendant, Unknown J. Penndleton is the disciplinary hearing officer. She is responsible for looking at the evidence gathered by the investigator, and giving the plaintiff a fair and partial hearing.

14. Defendant, Unknown D. Vannoy is the Warden at W.C.C.F. He is responsible for the orderly running of the facility. For making sure the plaintiff gets adequate medical, dental and mental health care, that his medical ordered diet is followed, that he is able to practice his religion, that he gets to scheduled medical appointments, that all policies are being followed, and that there is adequate

pg 7 of 34

staff to properly and safely run the facility.

15. Defendant, Sgt. Joseph Hall is a correctional sergeant at W.C.C.F. He is responsible for doing the drug testing here at W.C.C.F.

16. Defendant V. Day is the Unit Manager at W.C.C.F. She is responsible for making sure that her units are properly runned. By making sure the plaintiff gets adequate medical treatment, gets to practice his religion, gets medical ordered diet, gets to scheduled medical appointments, And has adequate staff to properly and safely run her units, and provide plaintiff with medical ordered chair.

17. Defendant UNKNOWN Sgt. Reese is the Unit Zone Sergeant and zone counselor. She is responsible for making sure the zones are run properly. By making sure the plaintiff gets to scheduled medical appointments, gets to practice his religion, gets medical ordered diet and chair for cell, And has adequate staff to properly run her zones.

18. Defendant, Unknown Nurse Robinson is a nurse at W.C.C.F. She is responsible to make sure that the plaintiff gets adequate medical, dental, and mental health treatment. She is also responsible for ordering the plaintiff's prescribed medications.
19. Defendant, Unknown Mrs Taylor is the medical clerk here at W.C.C.F. She is responsible for scheduling of sick call and other medical appointments and for ordering the plaintiff's medical shoes and other supplies. For making sure the plaintiff gets scheduled and seen in a timely manner.
20. Defendant, Unknown Officer Boyd is a correctional officer at W.C.C.F. where she works in medical. She is responsible for making sure the plaintiff gets to all scheduled medical appointments as she is the escort officer for transporting the plaintiff to and from medical.

pg 9 of 34

21. Defendant, Unknown Ms. Hunt is the current kitchen supervisor at W.C.C.F. She is responsible for making sure that the plaintiff receives adequate nutrition on his trays and that his medically ordered diet is properly followed.
22. Defendant, Laura Donnelly, R.D. is the former dietitian at W.C.C.F. She is responsible for making sure the plaintiff receives adequate nutrition and that the plaintiff's medical ordered diet is followed.
23. Defendant, Ellen Ossorio, R.D., MS, LDN, is the current dietitian and is responsible for making sure the plaintiff receives adequate nutrition and that the plaintiff's medical ordered diet is followed.
24. Defendants, Jane and John Does 1-100 are other M.T.C., MDOC, Vital Core Health Strategies, or W.C.C.F. employees that the plaintiff is

unaware of at this time, who could also have been ~~are~~ currently are responsible for the violations of the plaintiff's constitutional rights.

25. All of the named defendants in this case are being sued in both their individual and official capacities.

IV Facts of the Case

26. The plaintiff was transferred from C.M.C.F. to W.C.C.F. around Feb. 25th 2021. Upon arriving at W.C.C.F. during the intake process the plaintiff advised the medical personnel of all his medical and mental health issues. The plaintiff also Case Manager Duker during intake that he was of the Islam Faith that he had changed his religion at C.M.C.F. in 2019. The plaintiff was placed in a holding cell for about 7 days then taken to segregation on or around March 1st 2021 pending protective custody.

Around March 30th 2021 I was moved from segregation to C.D.E. housing unit and was placed on Echo Pool on Protective Custody (P.C.) cell 204. Since then have been moved to cell 206 and am currently in Echo cell 207.

V Denial of Medical Care

27. The plaintiff turned in sick calls to the nurses while housed in segregation on the following dates to the best of my knowledge: 3-1-21, 3-3-21, 3-10-21, 3-17-21, the plaintiff turned in approx 8 sick calls while he was housed in segregation and never got seen for none of them.

28. Around 3-25-21 I sent a inmate request to defendant ~~Sgt~~ Julian the former H.S.B. about not getting seen for sick-calls and not receiving my prescribed medication. Never got a response to this request.

pg 12 of 34

29. Around 3-28-21 I submitted my ARP about the denial of medical and mental health care. I was never seen for any sick calls for the whole time I was in segregation from 3-1-21 - 3-31-21. I completed the ARP process around July 2nd 2021. (See Exhibit #1)

30. On or around 4-1-21 I was finally taken to medical and seen by defendant Saint Julian the former H.S.A. she only seen me for two (2) of my sick calls and didn't do nothing but tell me that I would be seen by Defendant Burke's the next day.

31. I was never taken to see the Dr. the next day after making several request nor was I seen by him for a whole other (2) two months. After being referred to him.

32. Around 6-14-21 Defendant Middlebrooks came around the Unit and I talked to him about me not being seen for my sick calls or getting to my appointments. He typed something

pg 13 of 34

into his phone And told me he would take care of it,

33. Around 6-16-21 I was finally seen for the first time by Defendant Burke's And he ordered an X-Ray of my leg and ankle where the screw seems to be coming out. He gave me a breathing treatment. He didn't do anything else but try to rush and see me and get me out of his office.

34. On 6-18-21 I was taken back to medical and a X-Ray was taken and once again I asked Dr. Burke's for something for pain and about ordering my medical shoes.

35. Since the filing of this complaint and until now the plaintiff has filled out numerous more sick calls and have been seen for only a portion of them. The plaintiff is still not being seen in a timely manner for his sick calls and is still not receiving adequate medical, dental or mental

pg 14 of 34

health care

36. The delay And inadequate medical, dental, and mental health care at W.C.C.F. violates the plaintiff's Constitutional Rights of the 8th Amendment. The plaintiff is still in much pain in his leg due to the rod and screws. Its hard for me to put pressure on my left leg or even walk at times. And is still not receiving adequate medical, dental and mental health care.

IV Denial of Religion

37. When the plaintiff arrived at W.C.C.F. on 2-25-21 during the intake process when case manager Dukes was doing my intake she asked me what my religion was. I told her I was of the Islam Faith that I had changed my religion at C.M.C.F. in 2019 And started practicing Islam.

38. Upon arriving And being housed at W.C.C.F.

pg 15 of 34

I sent out several inmate request forms to the Chaplains Department And to the Kitchen advising them that I was of the Islam faith And that Ramadan was approaching And that I wished to participate in Ramadan.

39. When Ramadan started the plaintiff was told that he was not on the list to participate in Ramadan. So the plaintiff still fasted as required for the month of Ramadan. During Ramadan I am required to eat before sunrise and not again until after sunset. Ramadan started April 13th 2021 and ended May 13th 2021.

40. Since the plaintiff was not on the list to participate in Ramadan his trays were served with the other inmates. Which most of the times were delivered after the sun came up and before the sun went down. During this time the plaintiff saved what he could off of each tray and ate it at the appropriate time. Which was very little causing the plaintiff to suffer from severe

weight loss, stomach cramps from hunger, and mental and emotional distress.

41. The plaintiff was seen by Dr. Burke on 6-16-21 and because of the severe weight loss the plaintiff had suffered from fasting and not being able to eat during Ramadan Dr. Burke ordered me a special diet tray. That tray being a Nutrition Support tray which is suppose to have more nutrition than the regular trays served to the other inmates. (See Exhibit # 2) (See also Exhibit # 3) which is were the diet tray had to be reordered cause the plaintiff is still under weight.

42. The plaintiff filed his ARP concerning the denial of his religion. When the plaintiff filed his original ARP he attached to it a copy of his change of religion form that was done at CimCifi. But the Chaplain and Warden said that they didnt have a copy on file which they do. The ARP process was complete on 7-14-21 (See Exhibit # 4).

VII Furnishings

43. The plaintiff is on P.C. And is a closed custody (C-Custody Status) inmate. Being a C-Custody inmate the plaintiff is only allowed out of his cell for 1 hour a day 5 days a week. On the weekends and holidays he is locked in his cell with another inmate 24 hours a day. All other times the plaintiff is locked in his cell for 23 hours a day.

44. The cell the plaintiff is confined in consist of a toilet, a sink, a light, a door with a small window and tray slot, and a set of bunk beds. There is no table or chair in his cell or any other cell. I am either forced to sit on the floor, sit or lay on my rack, or stand up, which he has to do to watch T.V. at the cell door window. There is no place to sit and write or do legal work and write letters etc.

45. The plaintiff does lots of writing, legal work, and research, along with correspondence and

pg 18 of 34

college courses that are outside of the facility that I'm voluntarily taking to better myself.

In order to write, do research or legal work the plaintiff is forced to either sit on the floor or sit on his rack to do these things.

46. Being forced to sit either on the floor or on the bed to write and do legal work hunched over for hours writing and do legal work has caused me to suffer severe back pains in my lower and upper back.

47. I have had to fill out several sick calls to get pain meds for my back and even had a X-Ray done on it because of the severe pain that having no place to sit and write has caused me.

48. I filed an AWP about this only to be told that no table will be installed in the cells and could only receive a chair if it was an order from the doctor. (See Exhibit # 5).

pg 19 of 34

49. Since the filing of this ARP and the response from Defendant VANNOY about the chair I have been given a chair profile by the doctor. Even with the chair profile I still have not been provided with a chair AND I'm still having to hunch over and write and stuff which is still causing me severe back pains (See Exhibit #6)

VIII Denial of Adequate Nutrition and failure to follow Ordered Medical Diet

50. The plaintiff has a severe allergic reaction to corn products has he told the medical staff upon his arrival at W.C.C.F. The plaintiff had a order from C.M.C.F. Showing that he was to have no corn products on his tray.

51. There was An order done by Dr. Burke before I was put on the nutrition support diet but every diet order had allergied to Corn or no corn products wrote on them But there is still being corn products placed on my tray. (see Exhibits 2, 3, 7 & 8)

pg 20 of 34

52. There is not enough nutrition on my trays to comply with the ordered diet. The corn products constantly being put on my tray and when there not put on the tray I get nothing to substitute for the corn products. This causing me not to get the ordered amount of calories.
53. The trays do not have the adequate amount of food on them. Nor do I get everything that is on the menu that is suppose to cover the amount of protein, nutrition and calories that I'm suppose to have. I'm to receive everything on the menu with the proper portion of food being served. (See Exhibits 2, 3, 7, 8, 9, & 10)
54. The staff does not monitor the feeding of the plaintiff or other inmates. The tray cart is rolled on the zone and floorwalkers pass the trays out. So when the plaintiff diet tray is not on the cart or not correct (has corn products on it) the plaintiff has no way to send it back to get it fixed, so he has to miss portions of his meal or the whole

pg 21 of 34

if corn products seem to have touched other food on the tray. This also causing me stomach pains from hunger and weight loss.

IV Drug Testing

55. The plaintiff has been drug tested numerous times here at WCCF. Defendant Sgt. Joseph Hall does not follow MDAC policy when it comes to doing the drug test. By him not following policy it has caused the plaintiff to get several RVR's. (See Exhibits 11-13)

56. According to policy when an offender can't produce urine he is suppose to be detained for up to 4 hours. After he has been detained for 4 hours if the offender still can't produce urine he then recieves a RVR for refusing to submit to a drug test (See Exhibit # 14)

57. Defendant Joseph Hall has wrote me several RVRs for refusing to submit to a drug test, when I wasnt

refusing, I just couldn't produce urine on command and asked Hall each time to either detain me or come back and test me. He always refuses and just writes me up for refusing. This causing me to be placed on restriction and keeping me in C-custody. If it wasn't for the RVR's for Hall not following policy I would have my B-custody pants and not be on restrictions.

58. I filed about Hall not following policy through the ARP process and Defendant Vannoy said that Hall was following policy according to Hall's statement, but camera's and other statements from other inmates clearly shows that policy is not being followed. (See Exhibit # 15)

X Denial of Due Process

59. The plaintiff has been denied his right to Due Process at each and every disciplinary hearing he has had since being housed at WCCF all because WCCF staff and defendants refuse to follow

policy, If they would follow policy like they should these violations wouldn't occur.

60. According to policy a RVR is to be wrote and served on the offender within 24 hours of the time of the violations. The delivering employee will document the offender's request for investigation, list witnesses on the RVR and indicate whether the offender wants his hearing.

61. Policy also states that when a RVR is reported the disciplinary investigator will begin the investigation within 24 hours of the same time the rule violation is reported and complete it without reasonable delay.

62. The investigator will be neutral and unbiased in conducting interviews gathering information, in seeking the truth, the investigator will interview the accused, and any other persons considered having pertinent informations, the investigator will provide factual information, have access to all information, and

pg 24 of 34

will receive cooperation from all personnel. Any staff member called as a witness will not refuse to give a statement.

63. Policy states that the offender charged with a RUR will be allowed to present documentary evidence and call defense witnesses

64. Policy states that disciplinary hearings are conducted by an impartial person or panel of persons, the hearing officer will hear all pertinent information surrounding an alleged rule violation, will question the accused offender, witnesses and any other person appearing at the hearing.

65. Policy, procedure, and practice provide that inmates have an opportunity to make a statement, present documentary evidence and request witnesses.

66. Policy, procedure, and practice provide that the disciplinary committee's decision is based solely on information obtained in the hearing process, including

pg 25 of 34

staff reports, the statements of the inmate charged, And evidence derived from witnesses And documents.

67. Written policy, procedure, And practice provide for review of all disciplinary hearings And dispositions by the warden/superintendent or designee to assure conformity with policy And regulations (See Exhibit # 16)

68. IF these policies would have been followed the plaintiff would not have been found guilty of the RVR's And would not be punished for the failure of defendants not following policy.

69. The plaintiff requested witnesses And they were not called to the hearing or allowed to give a statement on the plaintiff's behalf. One of them being a correctional officer. (See Exhibits 11, 12, 13, 17 + 18)

70. There was no full investigation done. If there would have been it would have proved that defendant Hall didn't follow policy And that the RVR was bogus.

pg 26 of 34

71. Since policies were not followed the plaintiff was denied his Due Process rights. That's the whole reason for policies is to keep inmates from having their constitutional rights violated.

XI Exhaustion of Administrative Remedies

72. The plaintiff has exhausted his administrative remedies with respect to all claims and all of the named defendants in this case. (see Exhibits 1, 4, 5, 7, 8, 15, 17, and 18)

XII Claims For Relief

73. The actions of defendants Middlebrooks, Vannoy, M.T.C., Dr. Burke, HSA Saint Julian, Vibal Core Health Strategies, DeRevere, Castro, Day, Reese, Boyd, Taylor and Robinson in failing to get the plaintiff to his required medical appointments, the delay in seeing the plaintiff, ignoring his request, and not providing the plaintiff with adequate medical, mental health and dental care, constitutes deliberate indifference

pg 27 of 34

to the plaintiff's serious medical needs.

74. The actions of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Anthony, Day, Reese and Jane & John Does in denying the plaintiff to participate in Ramadan and practice his religion constitutes the denial of religion under the First Amendment of the United States Constitution. And under the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) U.S.C.S. § 2000cc to 2000cc-5.

75. The actions of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day, and Reese for denying the plaintiff a table, and chair in his cell causing him to suffer severe back and leg pains. Constitutes cruel and unusual punishment under the Eighth Amendment to the United States Constitution.

76. The actions of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day, Reese, Dunmore, Hunt, Donnelly, Ossorio, and Jane & John Does for not

providing the plaintiff with adequate nutrition and failing to follow the prescribed diet of the doctor constitutes cruel and unusual punishment under the Eighth Amendment of the United States Constitution.

77. The actions of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Hall, Pennelton, Ware, and Jane and John Does for not following policy during drug testing, and disciplinary proceedings constitutes cruel and unusual punishment and denial of Due Process under the Eighth and Fourteenth Amendments of the United States Constitution.

XIII Relief Requested

Wherefore, plaintiff requests that the court grant the following relief:

A. Issue a declaratory judgment stating that!

1. The denial of adequate medical, mental, and dental care from defendants Middlebrooks, Vannoy, M.T.C. DeRevere, Castro, Burke, Julian, Robinson, Taylor, Vital Core, Boyd, Day and Reese violated and continue to violate, the plaintiff's rights under the Eighth Amendment of the United States Constitution.
2. The denial of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day and Reese for not providing the plaintiff with a table and chair. Violated the plaintiff's and continue to violate the plaintiff's Constitutional rights under the Eighth Amendment of the United States
3. The denial of defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Anthony, and Jane and John Does for not allowing the plaintiff to participate in Ramadan or practice his religion violated and continues to violate the plaintiff's First Amendment Right under the United States Constitution

pg 30 of 34

4. That defendants Middlebrooks, Vannoy, MITCH, DeRevere, Castro, Pennelton, Ware, and Hall for not following policy and not allowing plaintiff to call witnesses or ~~doe~~ a thorough investigation and have a fair hearing at his disciplinary hearings violated and continue to violate the plaintiff's Eighth and Fourteenth amendment of cruel and unusual punishment and Due Process rights of the United States Constitution.

B. Issue an injunction ordering defendants, or their agents to:

1. Immediately arrange for the plaintiff to be seen by a orthopedic specialist for the removal of the steel rod and pins in his left leg,
2. Carry out without delay the treatment directed by such medical practitioner,
3. Provide plaintiff with adequate and timely medical,

pg 31 of 34

mental health and dental care.

4. Order the defendants to install tables and chairs in the cells for the plaintiff.
5. Order defendants to expunge all RVR's since arriving at W.C.C.F. from the plaintiff's institutional record.
6. Order defendants to follow policy when taking urine or drug test and all disciplinary proceedings to avoid further constitutional violations.
7. Order defendants to allow plaintiff to participate in all upcoming Ramadan, Ta'amm, and Jumah services and practice his religion freely.
8. Immediately order defendants to provide plaintiff with adequate nutrition and follow the plaintiff's medical ordered diet. And quit putting corn products on the plaintiff's trays.

C. Award compensatory damages in the following amounts:

1. \$50,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., Dr. Burke, Julian, Vital Core, DeRevere, Castro, Taylor, Robinson, Boyd, Reese and Day for the physical and emotional pain and suffering for the delays, denial, and ignoring the plaintiff's serious medical needs
2. \$25,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Anthony, Day, Reese, and Jane & John Does for the denial of not letting the plaintiff participate in Ramadan and practice his religion, which caused physical and emotional pain to the plaintiff
3. \$5,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day, and Reese for the physical and emotional pain sustained to plaintiff for not having a table or chair in cell

pg 33 of 34

4. \$25,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Day, Reese, Dunmore, Hunt, Donnelly, Ossorio, and Jane & John Does for the physical and emotional pain and suffering the plaintiff suffered from the denial of providing the plaintiff with adequate nutrition and not following his prescribed medical diet.

5. \$10,000⁰⁰ jointly and severally against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Castro, Hall, Penndleton, Ware and Jane & John Does for the punishment, including deprivation of privileges, liberty and amenity, and emotional injury resulting from their denial of due process in connection with the plaintiff's RVR's and disciplinary proceedings.

D. Award punitive damages in the following amounts:

1. \$10,000⁰⁰ each against defendants Middlebrooks, Vannoy, M.T.C., DeRevere, Dr. Burke, Julian, Vibal Core, Castro, Taylor, Robinson, Boyer, Reese and Day.

2. \$2,500⁰⁰ each against defendants Pennelton Ware, Hall

3. \$5,000⁰⁰ each against defendant Anthony, Jane and John Does.

E. Grant such other relief as it may appear that plaintiff is entitled.

XVIII Verification

78. I have read the foregoing complaint and hereby verify that the matters alleged therein are true and correct, except as to matters alleged on information and belief, and, as to those, I believe them to be true.

Pursuant to 28 U.S.C. § 1746, I, Jason Holloway declare under the penalty of perjury that the foregoing is true and correct.

Jason Holloway # M0998
W.C.C.F. E-207
P.O. Box 1889
Woodville, MS 39669

Respectfully Submitted,
Jason Holloway
Jason Holloway, prose
5-13-22

Exhibit # 1

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-348

SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: Jason Holloway #M0998
Location: Wilkinson County Correctional Facility

From: J. Burks
Title: Doctor

YOU WERE SEEN BY ME 6/16/21
I HOPE ALL YOUR QUESTIONS AND
CONCERNS WERE ADDRESSED


Signature

7/1/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program and is eligible to seek judicial review within 30 days of receipt of the Second Step Response.


Inmate's Signature

M0998
DOC #

7-2-21
Date

Exhibit # 2

COPY

Medical Restricted Diet Order Form

Name: Tasen Holloway ID # M0998

Housing Location: E 204

Start Date: 6/16/21 Expiration/Termination Date: 6/16/22

DIET ORDER: (Check ONLY ONE diet at a time)

☐ Dental Mechanical (liberal texture modification; chewing problems)

☐ Pregnancy/Nutrition Support

☐ Low Salt/Low Fat

☐ Diabetic Diet with HS snack

☐ No Concentrated Sweets Diet

☐ Full Liquid Diet (5-day max)

☐ Clear Liquid Diet (3-day max)

☐ Long Term Full-Liquid Diet

☐ Bland (no spice, onion, tomato, pepper)

Other, Please describe dietary needs: ALLERGIC TO CORN

Comments:

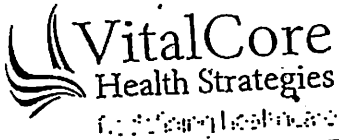
Approved By (Medical or Dental Signature): [Signature]

Name/Position: [Signature]

Received In Food Service: [Signature]
(Enter Time and Date)

Received by: [Signature]
(Food Service Staff Signature)

Exhibit #3



Form #121

Revised: 3-30-2020

NAME:

Last

First

MI

COPY

ID/#:

DOB:

☒ MALE ☐ FEMALE

MEDICAL DIET ORDER FORM

FACILITY:

DIET START DATE

DIET START DATE

Check one Diet Order Below

Please contact the Regional Dietitian if a diet is needed which is not on the standard list below.

Clear Liquid (Limit 3 Days)

Full Liquid (Limit 3 Days)

Full Liquid (Long Term)

Enhanced Calorie/ Protein

Lower Fat/ Cholesterol/ Sodium

Higher Fiber

Gluten Free

Low Lactose

Diabetic- Consistent Carbohydrate (No HS Snack)

Diabetic- Consistent Carbohydrate (Includes HS Snack)

Insulin Dependent Diabetic - 1800 Calorie

Insulin Dependent Diabetic - 2500 Calorie

Renal Disease (Dialysis)

Renal Disease (Non-Dialysis)

Dental Mechanical

Other:

Allergies NO CORN

SIGNATURES

Medical Authorization for Diet Order: ☒ YES ☐ NO

Ordered By

Date

Received In Food Department By

Date

Exhibit #4

**MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program**

**WCCF-21-469
SECOND STEP RESPONSE FORM**

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #M0998**
Location: **Wilkinson County Correctional Facility**

From: **S. Middlebrooks**
Title: **Warden**

In response to your ARP claim. In reference to you requesting to see the IMAM and be given the right to practice your religion/receive the special trays that are given when Ramadan is complete. The information gathered reveals according to Chaplin Anthony he does not have a change of religion form on file for you, so you need to update your change of religion form showing your religion as Muslim and submit it to Chaplin Department. I consider this matter resolved at this level.


Signature

7/14/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

M0998
DOC #

7-14-21
Date

Exhibit #5

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-807

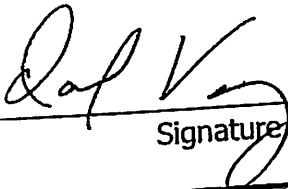
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #M0998**
Location: **Wilkinson County Correctional Facility**

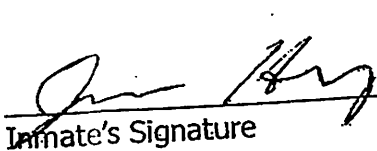
From: **D. Vannoy**
Title: **Warden**

In response to your ARP claim. In reference to a chair and table installed in your cell. No table will be installed in the cells. You can receive a chair only if you have a medical order from the Doctor stating you need a chair. I consider this matter resolved at this level.


Signature

12/31/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

M0998
DOC #

1-5-22
Date

Exhibit #6

COPY

WILKINSON COUNTY CORRECTIONAL FACILITY MEDICAL PASS	
NAME: <i>Holloway Jason</i>	MDOC # <i>110998</i>
RX:	
<i>CHAIR FOR CELL</i>	
DIET:	
<input type="checkbox"/> LAY-IN	EXP. DATE
<input type="checkbox"/> CUTHCES	EXP. DATE
<input type="checkbox"/> VITAL SIGNS	EXP. DATE
<input type="checkbox"/> OTHER	EXP. DATE
<input type="checkbox"/> ACE	EXP. DATE
<input type="checkbox"/> SPLINT	EXP. DATE
<input type="checkbox"/> KOPS'	EXP. DATE
SIGNATURE <i>J. Drake</i>	DATE <i>3/18/22</i>

Exhibit # 7

**MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program**

**WCCF-21-225
SECOND STEP RESPONSE FORM**

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #M0998**
Location: **Wilkinson County Correctional Facility**
From: **S. Middlebrooks**
Title: **Warden**

In response to your ARP claim. In reference to you requesting to be served the correct diet that was ordered with no corn products and to receive a snack bag. According to Food Service Dunmore you are receiving the correct diet tray and your Medical Diet Order Form was revised on 3/1/2021 in which you received a copy with your first step response with no snack bag ordered. I find this matter resolved at this level.


Signature

5/1/21
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.


Inmate's Signature

M0998
DOC #

5-5-21
Date

Exhibit #8

**MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program**

WCCF-22-63

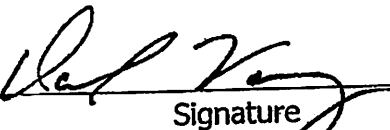
SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #m0998**
Location: **Wilkinson County Correctional Facility**


From: **D. Vannoy**
Title: **Warden**

In response to your ARP claim. In reference to you requesting your food tray be fixed to Doctors orders, extra food with no corn products. The information gathered reveals you stated in your original complaint you were not receiving a sandwich at last meal served. You also stated corn products are continuing to be placed on your tray. According to Ms. Hunt you receive your sandwich with your diner and no corn product is being placed on your tray. You Inmate Jason Holloway #M0998 also stated you were receiving your sandwich. I consider this matter resolved at this level.


Signature

3/18/22
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.

 M0998
Inmate's Signature DOC #

3-22-22
Date

MTC Mississippi Units revised 2021

Regular

Week 1

Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
Breakfast Oatmeal w/ Brown Sugar 1 Cup French Toast Bake 2 Each Syrup 1/4 Cup Breakfast Sausage 2 WZ Margarine w/Vit A 1 Cup Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Hash Brown Potatoes 3 WZ Biscuit 3/4 Cup Butter 1 Each Jelly 1 Tbsp Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown Sugar 1 Cup Breakfast Sausage 2 WZ Hash Brown Potatoes 3/4 Cup Biscuit 2 Each Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Cold Cereal 1 Cup Egg Fluff 3 WZ Coffee Cake 1/1/54 Slice Margarine w/Vit A# 1 Tbsp Hash Brown Potatoes 3/4 Cup Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Breakfast Meat Gravy 1 Cup Hash Brown Potatoes 3/4 Cup Biscuit 2 Each Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown Sugar 1 Cup Pancakes 4" 3 Each Syrup 1/4 Cup Breakfast Sausage 2 WZ Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Breakfast Meat Gravy 1 Cup Hash Brown Potatoes 3/4 Cup Biscuit 2 Each Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each
Lunch Turkey Stir Fry 3/4 Cup Rice 1 Cup Peas 1/2 Cup Roll 1 Each Margarine w/Vit A 1 Tbsp Glazed Cake 1/5/4 Cut Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Stew Gravy & Chili 1/1/4 Cup Rice Cooked 1 Cup Peas & Carrots 1/2 Cup Cornbread 1/5/4 Slice Margarine w/Vit A# 1 Tbsp Cookies 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Salisbury Patty 3 Ounce Brown Gravy 1/4 Cup Mashed Potatoes 1 Cup Corn 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Glazed Cake 1/5/4 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Chili Mac Casserole 1/1/4 Cup Green Beans 1/2 Cup Cornbread 1/5/4 Slice Margarine w/Vit A# 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	T Hot Dog 2 Each Enriched Bread 2 Slice Chili with Beans 1/2 Cup Potato Salad 1 Cup Ketchup 1 Tbsp Mustard 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Taco Mix 1/2 Cup Shredded Lettuce 1 Cup Shredded Cheese 1/2 WZ Sauce Salsa 2 FZ Tortilla Chips 1 WZ Rice and Beans 1 Cup Corn 1/2 Cup Glazed Cake 1/5/4 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Stroganoff Casserole 1/1/4 Cup Carrots (Vit A) 1/2 C Roll 1 Each Margarine w/Vit A# 1 Tbsp Canned Fruit 1/2 C Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each
Dinner Meat Sauce 3/4 Cup Pasta Noodles 1 Cup Green Beans 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Glazed Cake 1/5/4 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Pizza (PGS-Real-GNC) 1/1/16 Slice Corn 1/2 Cup Pasta Salad 1/2 Cup Pudding 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	T Ham 3 WZ Red Beans 3/4 Cup Rice 1 Cup Peas 1/2 Cup Biscuit 1 Each Margarine w/Vit A# 1 Tbsp Canned Fruit 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Sliced Turkey 3 WZ poultry Gravy 1/4 Cup Mashed Potatoes 1 Cup Fried Cabbage 1/2 Cup Margarine w/Vit A# 1 Tbsp Optional Cookie 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Stew 1/1/4 Cup Carrots (Vit A) 1/2 Cup Cornbread 1/5/4 Slice Margarine w/Vit A# 1 Tbsp Glazed Cake 1/5/4 Cut Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Meatloaf 3 Ounce Brown Gravy 1/4 Cup Mashed Potatoes 1 Cup Peas & Carrots 1/2 Cup Biscuit 1 Each Margarine w/Vit A# 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Sauce (Pot Pie) 1/1/16 Biscuit 1 Each Green Beans 1/2 Margarine w/Vit A# 1 Tbsp Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each

Exhibit # 9

Dietary Consultant

Ferna Donnelly, R.D.

Approval Date

12/28/2020

Tulany Services Group

MTC Mississippi Units revised 2021

Regular

Week 2

Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
Breakfast Oatmeal w/ Brown: 1 Cup Sugar 3 Each Pancakes 4" 1/4 Cup Syrup 1 WZ Fried T Ham 1 Tbsp Margarine w/Vit A# 1 Each Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Breakfast Meat Gravy 1 Cup Hash Brown Potatoes 3/4 Cup Biscuit 2 Each 1/54 Cut 1/54 Margarine w/Vit A# 1 Tbsp Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Cold Cereal 1 Cup Egg Patty 3 WZ Hash Brown Potatoes 3/4 Cup Biscuit 1 Each 1/54 Cut 1/54 Margarine w/Vit A# 1 Tbsp Pepper PC 1 Each Milk 1 Cup Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup Pancakes 4" 3 Each Syrup 1/4 Cup Breakfast Sausage 2 WZ Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown 1 Cup Sugar 1 WZ Fried T Ham 3/4 Cup Hash Brown Potatoes 1/4/54 Slice Coffee Cake 1 Tbsp Margarine w/Vit A# 1 Each Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Margarine 1 Cup French Toast Bake 2 Each Syrup 1/4 Cup Breakfast Sausage 2 WZ Margarine w/Vit A# 1 Tbsp Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/ Brown 1 Cup Sugar 3 WZ Egg Patty 3/4 Cup Hash Brown Potatoes 1/54 Cut Coffee Cake 1 Tbsp Margarine w/Vit A# 1 Each Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each
Lunch Chili 1 Cup Rice 1 Cup Green Beans 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Canned Fruit 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Sausage 3 Ounce Turkey Sausage 2 Slice Dressing Salad 1 Tbsp Peas 1/2 Cup Macaroni Salad 1 Cup Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Burrito Filling 3/4 Cup Spanish Rice 1 Cup Corn 1/2 Cup Shredded Cheese 1 WZ Flour Tortilla 2 Each Oatmeal Cookie 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	T Ham 3 WZ Red Beans 3/4 Cup Rice 1 Cup Fried Cabbage 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Cookies 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Ala King 3/4 Cup Rice 1 Cup Green Beans 1/2 Cup Biscuit 1 Each 1/54 Cut 1/54 Margarine w/Vit A# 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	T Hot Dog 2 Each Roll 1 Each Baked Beans 1 Cup Potato Salad 1 Cup Ketchup 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Sloppy Joe 1/2 Cup Hamburger Bun 1 Each Oven Brown Potatoes 1 Cup Mixed Vegetables 1/2 Cup Ketchup 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each
Dinner Burger Patty 3 Ounce Patty 1 Tbsp Ketchup 1 Cup Fried Potatoes 1/2 Cup Mixed Vegetables 1 Each Hamburger Bun 1/54 Cut Brownie 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Sausage 3 WZ Sausage 1 Tbsp Mustard 1 Cup Baked Beans 1/2 Cup Colelaw 1 Each TSG Hotter Roll 3 WZ 1 Each Fruit 1 Each Pepper PC 1 Each Fruit Drink with Vit C 1 Each Salt PC 1 Each	Shepherd's Pie 1 1/4 Cup Green Beans 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Pudding 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Meatloaf 3 Ounce Brown Gravy 1/4 Cup Mashed Potatoes 1 Cup Blackeyed Peas 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Ground Meat 3/4 Cup Stroganoff 1 Cup Herbed Pasta 1/2 Cup Mixed Vegetables 1 Each Roll 1 Tbsp Margarine w/Vit A# 1/2 Cup Pudding 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Baked Chicken 1 Each Quarter 1 Cup Rice Pilaf 1/2 Cup Fried Cabbage 1/54 Slice Cornbread 1 Tbsp Margarine w/Vit A# 1/54 Cut Glazed Cake 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Macaroni Goulash 1-1/4 Corn 1/2 Cup Biscuit 1 Each Margarine w/Vit A# 1 Tbs Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each

Dietary Consultant

Diana Donnelly, R.D.

Approval Date

12/29/2020

Trinity Services Group

MTC Mississippi Units revised 2021

Regular

Tuesday

Wednesday

Thursday	Friday	Saturday	Sunday	Monday	Tuesday	Wednesday
Breakfast Grits w/Sugar & Syrup 1 Cup Margarine 3 Each Pancakes 4" 1/4 Cup Syrup 1 WZ Fried T Bologna 1 Tbsp Margarine w/Vit A# 1 Each Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal/Brown Supper 1 Cup Breakfast Sausage 2 WZ Hash Brown Potatoes 3/4 Cup Biscuit 1 Each 1/54 Slice Cut Margarine w/Vit A# 1 Tbsp Jelly 1 Tbsp Margarine w/Vit A# 1 Tbsp Pepper PC 1 Each Salt PC 1 Cup 1 Each	Grits w/Sugar & Syrup 1 Cup Margarine 1 Cup Breakfast Meat Gravy 1 Cup Hash Brown Potatoes 3/4 Cup Biscuit 2 Each 1/54 Slice Cut Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/Brown Sugar 1 Cup Egg Patty 3 WZ Hash Brown Potatoes 3/4 Cup Coffee Cake 1/54 Slice Margarine w/Vit A# 1 Tbsp Milk 1 Cup Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Syrup 1 Cup Margarine 1 Cup Breakfast Meat Gravy 1 Cup Hash Brown Potatoes 3/4 Cup Biscuit 2 Each 1/54 Slice Cut Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each	Oatmeal w/Brown Sugar 1 Cup French Toast Bake 2 Each Syrup 1/4 Cup WZ 2 WZ Breakfast Sausage 1 Tbsp Margarine w/Vit A# 1 Cup Milk 1 Each Pepper PC 1 Each Salt PC 1 Each	Grits w/Sugar & Syrup 1 Cup Margarine 3 WZ Hash Brown Potatoes 3/4 Cup Coffee Cake 1/54 Slice Margarine w/Vit A# 1 Tbsp Dairy Drink PC 1 Each Pepper PC 1 Each Salt PC 1 Each
Lunch Burger Patty 3 Ounce Sliced Cheese 1 Slice Hamburger Bun 1 Each Mustard 1 Tbsp Dressing Salad 1 Tbsp Ranch Beans 1 Cup Pasta Salad 1/2 Cup Oatmeal Cookie 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Tetrazzini 3/4 Cup Rice 1 Cup Fried Cabbage 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Fruit Drink with Vit C 1 Each Fruit PC 1 Each Salt PC 1 Each	Stew 1 1/4 Cup Mixed Vegetables 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Stroganoff Casserole 1 1/4 Cup Green Beans 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Canned Fruit 1/2 Cup Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Peanut Butter 2 WZ Jelly 2 FZ Enriched Bread 4 Slice Macaroni Salad 1 Cup Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Chili Mac Casserole 1 1/4 Cup Corn 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Cookies 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Sauce (pot Pie) 1 1/4 Cup Green Beans 1/2 Cup Biscuit 1 Each 1/54 Slice Margarine w/Vit A# 1 Tbsp Oatmeal Cookie 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each
Dinner Creole Turkey Mix 1 1/4 Cup Peas & Carrots 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Pizza (pepperoni) 1/16 Slice Green Beans 1/2 Cup Italian Pasta Salad 1 Cup Cookies 2 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	T Ham 3 WZ Pinto Beans 1 Cup Fried Cabbage 1/2 Cup Cornbread 1/54 Slice Margarine w/Vit A# 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Chicken Tetrazzini 3/4 Cup Rice 1 Cup Carrots (Vit A) 1/2 Cup Biscuit 1 Each 1/54 Slice Cut Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Meatloaf 3 Ounce Brown Gravy 1/4 Cup Mash Potatoes 1 Cup Fried Cabbage 1/2 Cup Roll 1 Each Margarine w/Vit A# 1 Tbsp Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Turkey Stir Fry 3/4 Cup Rice 1 Cup Peas 1/2 Cup Biscuit 1 Each 1/54 Slice Cut Margarine w/Vit A# 1 Tbsp Glazed Cake 1/54 Slice Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each	Jambalaya 1 1/4 Cup Mixed Vegetables 1/2 Cup Red Beans 1/54 Slice Cornbread 1 Tbsp Margarine w/Vit A# 1 Tbsp Canned Fruit 1 Each Fruit Drink with Vit C 1 Each Pepper PC 1 Each Salt PC 1 Each

Dietary Consultant

Fawn Donnelly, R.D.

Approval Date 12/28/2020

Regular

MTC Mississippi Units revised 2021

Trinity Services Group

Thursday		Friday		Saturday		Sunday		Monday		Tuesday		Wednesday	
Breakfast													
Oatmeal w/ Brown Sugar	1 Cup	Grits w/ Sugar & Margarine	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Grits w/ Sugar & Margarine	1 Cup	Cold Cereal	1 Cup	Oatmeal w/ Brown Sugar	1 Cup	Grits w/ Sugar & Margarine	1 Cup
Pancakes 4"	3 Each	Egg Patty	3 WZ	Cinnamon Roll TSG	4 oz	Egg Patty	3 WZ	Breakfast Meat Gravy	1 Cup	Pancakes 4"	3 Each	Breakfast Sausage	2 WZ
Syrup	1/4 Cup	Hash Brown Potatoes	3/4 Cup	Mix Glazed Fried T Bologna	1 WZ	Hash Brown Potatoes	3/4 Cup	Hash Brown Potatoes	3/4 Cup	Syrup	1/4 Cup	Hash Brown Potatoes	3/4 Cup
Breakfast Sausage	2 WZ	Coffee Cake	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Coffee Cake	1/54 Cup	Biscuit	2 Each 1/54 Cut	Fried T Bologna	1 WZ	Biscuit	1 Each 1/54 Cut
Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Dairy Drink PC	1 Each	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Jelly	1 Tbsp
Milk	1 Cup	Dairy Drink PC	1 Each	Pepper PC	1 Each	Dairy Drink PC	1 Each	Milk	1 Cup	Dairy Drink PC	1 Each	Margarine w/Vit A#	1 Tbsp
Pepper PC	1 Each	Pepper PC	1 Each	Salt PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Salt PC	1 Each	Salt PC	1 Each			Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Milk	1 Cup
												Salt PC	1 Each
Lunch													
Meat Sauce	3/4 Cup	Stew	1 1/4 Cup	T Ham	3 WZ	T Hot Dog	2 Each	Cheesburger	1 1/4 Cup	Sloppy Joe	1 1/2 Cup	Turkey Tetrazzini	3/4 Cup
Pasta Noodles	1 Cup	Rice	1 Cup	Red Beans	3/4 Cup	Roll	1 Each	Casserole	1/2 Cup	Hamburger Bun	1 Each	Rice	1 Cup
Corn	1/2 Cup	Green Beans	1/2 Cup	Rice	1 Cup	Fried Potatoes	1 Cup	Mixed Vegetables	1 Each 1/54 Cut	Potato Salad	1 Cup	Green Beans	1/2 Cup
Roll	1 Each	Roll	1 Each	Seasoned Cabbage	1/2 Cup	Ketchup	1 Tbsp	Biscuit	Cut	Red Beans	1/2 Cup	Cornbread	1/54 Slice
Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Cornbread	1/54 Slice	Baked Beans	1 Cup	Margarine w/Vit A#	1 Tbsp	Glazed Cake	1/54 Cut	Margarine w/Vit A#	1 Tbsp
Fruit	1 Each	Glazed Cake	1/54 Slice	Margarine w/Vit A#	1 Tbsp	Oatmeal Cookie	2 Each	Fruit	1 Each	Fruit Drink with Vit C	1 Each	Fruit	1 Each
Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Pudding	1/2 Cup	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Pepper PC	1 Each	Pepper PC	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each	Salt PC	1 Each	Fruit Drink with Vit C	1 Each
Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each			Salt PC	1 Each
Dinner													
Burger Patty	3 Ounce	Turkey Sausage	3 WZ	Sliced Turkey	3 WZ	Meatloaf	3 Ounce	Chili	3/4 Cup	Jambalaya	1 1/4 Cup	Macaroni Goulash	1 1/2 Cup
Hash Brown Potatoes	1 Cup	Au Gratin Potatoes	1 Cup	Poultry Gravy	1/4 Cup	Brown Gravy	1/4 Cup	Rice	1 Cup	Green Beans	1/2 Cup	Carrots (Vit A)	1/2 Cup
Carrots (Vit A)	1/2 Cup	Fried Cabbage	1/2 Cup	Mashed Potatoes	1/2 Cup	Mashed Potatoes	1 Cup	Corn	1/2 Cup	Cornbread	1/54 Slice	Biscuit	1 Each 1/54 Cut
Hamburger Bun	1 Each	Mustard	1 Tbsp	Carrots (Vit A)	1/2 Cup	Peas & Carrots	1 Each	Cornbread	1/54 Slice	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp
Ketchup	1 Tbsp	Hoagie Roll	1 Each	Biscuit	1 Each	Roll	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Cookies	2 Each	Glazed Cake	1/54 Slice
Brownie	1/54 Cut	Canned Fruit	1/2 Cup	Margarine w/Vit A#	1 Tbsp	Margarine w/Vit A#	1 Tbsp	Glazed Cake	1/54 Slice	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each
Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Glazed Cake	1/54 Slice	Canned Fruit	1/2 Cup	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Pepper PC	1 Each
Pepper PC	1 Each	Pepper PC	1 Each	Fruit Drink with Vit C	1 Each	Fruit Drink with Vit C	1 Each	Pepper PC	1 Each	Salt PC	1 Each	Salt PC	1 Each
Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each	Salt PC	1 Each				

Laura Donnelly, R.D.

Approval Date 12/28/2020

Dietary Consultant

12380-MTC Wilkinson County Correctional Facility MS

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Exhibit # 10

CYCLE #4 ← CURRENT CYCLE		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
MONDAY ← DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21	
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			8 oz
Oatmeal	8 oz	Oatmeal LFNS	2 oz
Sausage (Non-Pork)	2 oz	Sausage (Non-Pork)	2 ea
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Wheat Toast	8 oz
Cinnamon Roll	1 ea	Coffee	8 oz
Coffee	8 oz	Milk (1%)	2 ea
Milk (1%)	2 ea	Sugar Substitute	4 oz / 1 ea
Sugar Substitute	1 pat	Fruit (Can, Frozen, Fresh)	
Margarine			
LUNCH:			3 oz/1 oz
Salsbury Steak w/Sauteed Onions	3 oz/1 oz	Lean Hamburger Pattie w/Sauteed Onions LFNS	4 oz
Brown Gravy	2 oz	Green Beans LFNS	4 oz
Green Beans	4 oz	Potatoes LFNS	4 oz
Potatoes	4 oz	Beans LFNS	1 ea
Beans	1 ea	Wheat Bread	8 oz
Buttered Cornbread	8 oz	Tea/Water	
Tea/Water			
DINNER:			3 oz
Turkey Hot Dogs w/chili	2 ea / 2 oz	Lean Chicken Pattie LFNS	4 oz
Mac 'n Cheese	4 oz	Mac 'n Cheese LFNS	4 oz
Broccoli	4 oz	Broccoli LFNS	4 oz
Beans	4 oz	Beans LFNS	2 ea
Bread	2 ea	Wheat Bread	8 oz
Mustard/Relish/Onions	2 oz	Punch	4 oz / 1 ea
Dessert	4 oz	Fruit (Can, Frozen, Fresh)	
Punch	8 oz		
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
CYCLE #4 ← CURRENT CYCLE		Dietitian/Reg-License #: D2185 Date: 12/1/21	
TUESDAY ← DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21	
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			1.5 oz
Dry Cereal	1.5 oz	Dry Cereal	4 oz / 2 ea
Sausage (Non-Pork)	2 ea	Eggs (Scrambled or each)	

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Buttered Biscuits	2 ea	Wheat Toast	2 ea
Sugar Substitute	2 ea	Sugar Substitute	8 oz
Milk (1%)	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	4 oz / 1 ea
Jelly	2 oz	Fruit (Can, Frozen, Fresh)	
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea		
LUNCH:		Taco Salad	
Taco Salad			4 oz / 4 oz
Chili/Tortilla Chips	4 oz / 4 oz	Chili/Tortilla Chips	2 oz / 2 oz
Shredded Cheese/Salsa	2 oz / 2 oz	Shredded Cheese/Salsa	8 oz
Shred Lettuce	8 oz	Shred Lettuce	1 oz or 1 pkt
Sour Cream	1 oz or 1 pkt	Sour Cream	4 oz
Yellow Rice	4 oz	Yellow Rice	4 oz
Beans	4 oz	Beans	8 oz
Tea/Water	8 oz	Tea/Water	
DINNER:			3 oz
Corn Dogs (2)	6 oz	Lean Beef Pattie LFNS	4 oz
Potatoes	4 oz	Potatoes LFNS	4 oz
Cabbage	4 oz	Cabbage LFNS	4 oz
Rice	4 oz	Rice	4 oz
Beans	4 oz	Beans	8 oz
Dessert	4 oz	Punch	4 oz / 1 ea
Punch	8 oz	Fruit (Fresh)	
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
CYCLE #4 ← CURRENT CYCLE		Dietitian/Reg-License #: D2185 Date: 12/1/21	
WEDNESDAY ← DAY OF THE WEEK		DIET FOR HEALTH	PORTION
REGULAR DIET	PORTION	LF=Low Fat, NS=No Salt, SF=Sugar Free	
BREAKFAST:			4 oz
Grits	4 oz	Grits LFNS	4 oz / 2 ea
Sausage (Non-Pork)	2 ea	Eggs(Scrambled or each)	2 ea
Pancakes	2 ea	Pancakes	3 oz
Syrup	3 oz	Lite Syrup	8 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Coffee	8 oz
Coffee	8 oz	Milk (1%)	2 ea
Milk (1%)	8 oz	Sugar Substitute	4 oz / 1 ea
Sugar Substutue	2 ea	Fruit (Can, Frozen, Fresh)	
LUNCH:			3 oz
Baked Chicken	3 oz	Baked Chicken LFNS	

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Bread	2 ea	Wheat Bread	2 ea
Cabbage	4 oz	Cabbage LFNS	4 oz
Mix Vegetables	4 oz	Mixed Vegetables LFNS	4 oz
Beans	4 oz	Beans LFNS	8 oz
Tea/Water	8 oz	Tea/Water	
Margarine	1 pat		
DINNER:			
Philly Cheese Steak Sandwich with Cheese	3 oz/2 oz	Philly Cheese Steak Sandwich with Cheese	3 oz/2 oz
Bread w/ entrée		Bread w/ entrée	2 oz
Sauteed Onions & Peppers	2 oz	Sauteed Onions & Peppers	4 oz
Squash	4 oz	Squash LFNS	4 oz
Peas	4 oz	Peas LFNS	4 oz
Beans	4 oz	Beans LFNS	8 oz
Dessert	4 oz	Punch	4 oz / 1 ea
Punch	8 oz	Fruit (Can, Frozen, Fresh)	
Total Meals		HS Snack List	Milk
Date			Protein
Subs Y-N			Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
CYCLE #4 ← CURRENT CYCLE		Dietitian/Reg-License #: D2185 Date: 12/1/21	
THURSDAY ← DAY OF THE WEEK		DIET FOR HEALTH	
REGULAR DIET	PORTION	LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			
Breakfast Tacos (flour tortillas)	2 ea / 2 ea	Breakfast Tacos (flour tortillas)	2 ea / 2 ea
(scrambled eggs, meat, cheese)		(scrambled eggs, meat, cheese)	4 oz
Refried Beans	4 oz	Refried Beans	4 oz
Potatoes	4 oz	Potatoes LFNS	2 oz
Fresh Salsa	2 oz	Fresh Salsa	8 oz
Milk (1%)	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	2 ea
Sugar Substitute	2 ea	Sugar Substitute	4 oz / 1 ea
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	
LUNCH:			
Beef Tacos (Soft or Hard)	2 oz. ea/2 ea	Beef Tacos (Soft or Hard)	2 oz. ea/2 ea
Bread w/ entrée		Bread w/ entrée	2 oz.
Lettuce/Tomato/Onion/Cheese	2 oz.	Lettuce/Tomato/Onion/Cheese	4 oz
Spanish Rice	4 oz	Spanish Rice LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Hominy	4 oz	Hominy LFNS	8 oz
Dessert	8 oz	Tea/Water	
Tea/Water			

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

Spaghetti w/meat sauce	8 oz	Spaghetti w/meat sauce LFNS	3 oz
Beans	4 oz	Beans LFNS	4 oz
Broccoli	4 oz	Broccoli LFNS	4 oz
Carrots	4 oz	Carrots LFNS	2 ea
Garlic Toast	2 ea	Wheat Bread	8 oz
Punch	8 oz	Punch	4 oz / 1 ea
Fruit (Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	
Total Meals		HS Snack List	
Date		Milk	
Subs Y-N		Protein	
Mgr Initials		Bread	
CYCLE #4 ← CURRENT CYCLE		Menus Approved By: Ellen Ossorio, MS, RD, LDN	
FRIDAY ← DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21	
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free	PORTION
BREAKFAST:			
Oatmeal	4 oz	Oatmeal LFNS	4 oz
Sausage (Non-Pork)	2 ea	Eggs (Scrambled or each)	4 oz / 2 ea
French Toast	2 ea	French Toast	2 ea
Milk (1%)	8 oz	Milk (1%)	8 oz
Coffee	8 oz	Coffee	8 oz
Sugar Substitute	2 ea	Sugar Substitute	2 ea
Syrup	2 oz	Sugar Free Syrup	2 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
LUNCH:			
Pizza	1 ea	Lean Chicken Pattie LFNS	3 oz
Fresh Salad	4 oz	Fresh Salad	4 oz
Potatoes	4 oz	Potatoes LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Dessert	1 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Tea/Water	8 oz	Wheat Bread	2 ea
		Tea/Water	8 oz
DINNER:			
Chicken Stir Fry w/rice	8 oz	Chicken Stir Fry w/rice LFNS	8 oz
Cabbage	4 oz	Cabbage LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Cornbread	1 ea	Cornbread	1 ea
Dessert	4 oz	Punch	8 oz
Punch	8 oz	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals			

MTC Standard Menu Cycle - Mississippi Correctional Facilities December 1, 2021 - November 31, 2022

Date		HS Snack List		Milk
Subs Y-N				Protein
Mgr Initials				Bread
CYCLE #4 ← CURRENT CYCLE		Menus Approved By: Ellen Ossorio, MS, RD, LDN		
SATURDAY ← DAY OF THE WEEK		Dietitian/Reg-License #: D2185 Date: 12/1/21		
REGULAR DIET	PORTION	DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free		PORTION
BREAKFAST:				1.5 oz
Dry Cereal	1.5 oz	Dry Cereal		4 oz / 2 ea
Meat Gravy	4 oz	Eggs (Scrambled or each)		2 ea
Buttered Biscuits	2 ea	Wheat Toast		8 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Milk (1%)		8 oz
Milk (1%)	8 oz	Coffee		2 ea
Coffee	8 oz	Sugar Substitute		4 oz / 1 ea
Sugar Substitute	2 ea	Fruit (Can, Frozen, Fresh)		
Jelly	2 oz			
LUNCH:				3 oz
Beef Enchiladas (Casserole or Rolled)	8 oz / 2 ea	Lean Beef Patty NS		4 oz
Bread w/ entrée	4 oz	Dinner Salad		4 oz
Dinner Salad	4 oz	Beans LFNS		4 oz
Beans	4 oz	Corn LFNS		2 oz
Corn	2 oz	Salad Dressing		2 ea
Salad Dressing	4 oz	Wheat Bread		8 oz
Dessert	8 oz	Tea/Water		
Tea/Water				
DINNER:				2 oz. ea/2 ea
(2) Cold Cut Sandwiches (2 oz. meat ea.)	2 oz. ea/2 ea	(2) Turkey Sandwiches (2 oz. meat ea.)		
Bread w/ entrée	2 oz	Bread w/ entrée		2 oz
(2) Cheese	4 oz	(2) Cheese		4 oz.
Lettuce/Tomato/Onion/Pickle	4 oz	Lettuce/Tomato/Onion/Pickle		4 oz
Coleslaw	4 oz	Coleslaw LFNS		4 oz
Ranch Style Pinto Beans	4 oz	Ranch Style Pinto Beans LFNS		8 oz
Punch	8 oz	Punch		1 ea
Mayo/Must. Pack	1 ea	Mayo/Must. Pack		4 oz / 1 ea
		Fruit (Can, Frozen, Fresh)		
Total Meals		HS Snack List		Milk
Date				Protein
Subs Y-N				Bread
Mgr Initials		Menus Approved By: Ellen Ossorio, MS, RD, LDN		
CYCLE #4 ← CURRENT CYCLE		Dietitian/Reg-License #: D2185 Date: 12/1/21		
SUNDAY ← DAY OF THE WEEK		DIET FOR HEALTH LF=Low Fat, NS=No Salt, SF=Sugar Free		
REGULAR DIET	PORTION			PORTION

MTC Standard Menu Cycle - Mississippi Correctional Facilities
December 1, 2021 - November 31, 2022

BREAKFAST:			
Grits	4 oz	Grits LFNS	4 oz
Sausage (Non-Pork)	2 ea	Eggs(Scrambled or each)	4 oz / 2 ea
Pancakes	2 ea	Pancakes	2 ea
Margarine/Syrup	2 pat/3 oz	Lite Syrup	3 oz
Fruit (Can, Frozen, Fresh)	4 oz / 1 ea	Milk (1%)	8 oz
Milk (1%)	8 oz	Coffee	8 oz
Coffee	8 oz	Sugar Substitute	2 ea
Sugar Substitute	2 ea	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
LUNCH:			
Chicken Pattie	3 oz	Lean Chicken Pattie LFNS	3 oz
Bread	2 ea	Wheat Bread	2 ea
Potato Salad	4 oz	Potato Salad LFNS	4 oz
Beans	4 oz	Beans LFNS	4 oz
Green Beans	4 oz	Green Beans LFNS	4 oz
Dessert	4 oz	Tea/water	8 oz
Tea/water	8 oz		
DINNER:			
Chirozo w/Eggs	2 oz / 4 oz	Eggs (Scrambled or each)	4 oz / 2 ea
Potatoes	4 oz	Potatoes LFNS	4 oz
Mexican Corn	4 oz	Mexican Corn LFNS	4 oz
Refried Beans	4 oz	Refried Beans LFNS	4 oz
Tortillas	2 ea	Wheat Bread	2 ea
Salsa	2 oz	Salsa	2 oz
Punch	8 oz	Punch	8 oz
Margarine	2 pat	Fruit (Can, Frozen, Fresh)	4 oz / 1 ea
Total Meals			
Date		HS Snack List	Milk
Subs Y-N			Protein
Mgr Initials			Bread

RULE VIOLATION REPORT

B-7: the specific action of _____
 Vitamin B-7: Yes No [SAC] location of function

CIRCUMSTANCES AND DETAILS

Log of Earned Time _____ Approved _____ Disapproved _____
Commissioner of Corrections & Juvenile Services

(CIS)	(CIS)
(CIS)	(CIS)
(CIS)	(CIS)

WILKINSON COUNTY CORRECTIONAL FACILITY

RIIUCXVIOLATIONINREPORT

Plant Admin. Unit#	Zone / Floor	Unit	Cell / Bed #	Enroll
Order#		MSOC #	Voluntary Rate#	Rate
				Admission Time

By the Special Agent in Charge _____
Weapon involved: _____ No. _____
_____ Division of _____

CIRCUMSTANCES AND DETAILS

[illegible]

Reason for _____ Seemingly in effect _____ Un-accepted practice, the institution continues as others _____ Non-Compliance _____

City: _____ Date: _____ Page: _____

Received by the Committee on Education and the Labor Committee on Labor and Human Resources, U.S. Senate, on 10/10/83, from the Department of Labor, Washington, D.C. 20301.

Canada, Restriction on the right of the public to obtain information on the 1981-1982, 1983-1984, 1984-1985, 1985-1986, 1986-1987, 1987-1988, 1988-1989, 1989-1990, 1990-1991, 1991-1992, 1992-1993, 1993-1994, 1994-1995, 1995-1996, 1996-1997, 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021, 2021-2022, 2022-2023, 2023-2024, 2024-2025, 2025-2026, 2026-2027, 2027-2028, 2028-2029, 2029-2030, 2030-2031, 2031-2032, 2032-2033, 2033-2034, 2034-2035, 2035-2036, 2036-2037, 2037-2038, 2038-2039, 2039-2040, 2040-2041, 2041-2042, 2042-2043, 2043-2044, 2044-2045, 2045-2046, 2046-2047, 2047-2048, 2048-2049, 2049-2050, 2050-2051, 2051-2052, 2052-2053, 2053-2054, 2054-2055, 2055-2056, 2056-2057, 2057-2058, 2058-2059, 2059-2060, 2060-2061, 2061-2062, 2062-2063, 2063-2064, 2064-2065, 2065-2066, 2066-2067, 2067-2068, 2068-2069, 2069-2070, 2070-2071, 2071-2072, 2072-2073, 2073-2074, 2074-2075, 2075-2076, 2076-2077, 2077-2078, 2078-2079, 2079-2080, 2080-2081, 2081-2082, 2082-2083, 2083-2084, 2084-2085, 2085-2086, 2086-2087, 2087-2088, 2088-2089, 2089-2090, 2090-2091, 2091-2092, 2092-2093, 2093-2094, 2094-2095, 2095-2096, 2096-2097, 2097-2098, 2098-2099, 2099-2100, 2100-2101, 2101-2102, 2102-2103, 2103-2104, 2104-2105, 2105-2106, 2106-2107, 2107-2108, 2108-2109, 2109-2110, 2110-2111, 2111-2112, 2112-2113, 2113-2114, 2114-2115, 2115-2116, 2116-2117, 2117-2118, 2118-2119, 2119-2120, 2120-2121, 2121-2122, 2122-2123, 2123-2124, 2124-2125, 2125-2126, 2126-2127, 2127-2128, 2128-2129, 2129-2130, 2130-2131, 2131-2132, 2132-2133, 2133-2134, 2134-2135, 2135-2136, 2136-2137, 2137-2138, 2138-2139, 2139-2140, 2140-2141, 2141-2142, 2142-2143, 2143-2144, 2144-2145, 2145-2146, 2146-2147, 2147-2148, 2148-2149, 2149-2150, 2150-2151, 2151-2152, 2152-2153, 2153-2154, 2154-2155, 2155-2156, 2156-2157, 2157-2158, 2158-2159, 2159-2160, 2160-2161, 2161-2162, 2162-2163, 2163-2164, 2164-2165, 2165-2166, 2166-2167, 2167-2168, 2168-2169, 2169-2170, 2170-2171, 2171-2172, 2172-2173, 2173-2174, 2174-2175, 2175-2176, 2176-2177, 2177-2178, 2178-2179, 2179-2180, 2180-2181, 2181-2182, 2182-2183, 2183-2184, 2184-2185, 2185-2186, 2186-2187, 2187-2188, 2188-2189, 2189-2190, 2190-2191, 2191-2192, 2192-2193, 2193-2194, 2194-2195, 2195-2196, 2196-2197, 2197-2198, 2198-2199, 2199-2200, 2200-2201, 2201-2202, 2202-2203, 2203-2204, 2204-2205, 2205-2206, 2206-2207, 2207-2208, 2208-2209, 2209-2210, 2210-2211, 2211-2212, 2212-2213, 2213-2214, 2214-2215, 2215-2216, 2216-2217, 2217-2218, 2218-2219, 2219-2220, 2220-2221, 2221-2222, 2222-2223, 2223-2224, 2224-2225, 2225-2226, 2226-2227, 2227-2228, 2228-2229, 2229-2230, 2230-2231, 2231-2232, 2232-2233, 2233-2234, 2234-2235, 2235-2236, 2236-2237, 2237-2238, 2238-2239, 2239-2240, 2240-2241, 2241-2242, 2242-2243, 2243-2244, 2244-2245, 2245-2246, 2246-2247, 2247-2248, 2248-2249, 2249-2250, 2250-2251, 2251-2252, 2252-2253, 2253-2254, 2254-2255, 2255-2256, 2256-2257, 2257-2258, 2258-2259, 2259-2260, 2260-2261, 2261-2262, 2262-2263, 2263-2264, 2264-2265, 2265-2266, 2266-2267, 2267-2268, 2268-2269, 2269-2270, 2270-2271, 2271-2272, 2272-2273, 2273-2274, 2274-2275, 2275-2276, 2276-2277, 2277-2278, 2278-2279, 2279-2280, 2280-2281, 2281-2282, 2282-2283, 2283-2284, 2284-2285, 2285-2286, 2286-2287, 2287-2288, 2288-2289, 2289-2290, 2290-2291, 2291-2292, 2292-2293, 2293-2294, 2294-2295, 2295-2296, 2296-2297, 2297-2298, 2298-2299, 2299-2300, 2300-2301, 2301-2302, 2302-2303, 2303-2304, 2304-2305, 2305-2306, 2306-2307, 2307-2308, 2308-2309, 2309-2310, 2310-2311, 2311-2312, 2312-2313, 2313-2314, 2314-2315, 2315-2316, 2316-2317, 2317-2318, 2318-2319, 2319-2320, 2320-2321, 2321-2322, 2322-2323, 2323-2324, 2324-2325, 2325-2326, 2326-2327, 2327-2328, 2328-2329, 2329-2330, 2330-2331, 2331-2332, 2332-2333, 2333-2334, 2334-2335, 2335-2336, 2336-2337, 2337-2338, 2338-2339, 2339-2340, 2340-2341, 2341-2342, 2342-2343, 2343-2344, 2344-2345, 2345-2346, 2346-2347, 2347-2348, 2348-2349, 2349-2350, 2350-2351, 2351-2352, 2352-235

WILKINSON COUNTY CORRECTIONAL FACILITY

No 2011878

RULE VIOLATION REPORT

(MSP) _____ (CWC) _____
(CMCF) _____ (SMCI) _____
(OTHER) WCCF

(Unit Admin. Initial) MD Zone / Tier CDE Unit Bldg D Cell / Bed # E 206
Offender JASON HOLLOWAY MDOC# M0998 Violated Rule # B18 Entitled
Refuse To Submit To A Drug Test Date 1-26-22 Approx. Time 1021 Hrs.

By the specific act of Refusing a Drug Test
Weapon involved _____ Yes _____ No _____ EXACT location of incident E 206

CIRCUMSTANCES AND DETAILS ON 1/26/2022 @ 1021 hrs Jason Holloway # M0998 Refuse a Reasonable Suspicion Drug Test. END of STATEMENT

Reporting Employee's Signature Joseph Hall Title Sergeant PIN# 9996 Date 1-27-22 Time 0913
Evidence _____ Yes _____ No _____ Located _____ Placed in Segregation - PDA _____ No _____ Yes _____ Location _____

I request witness(es) _____ Yes _____ No _____
Witness(es) (1) Kenneth Bell (2) Officer Boyd

Unless waived, you are hereby notified that a hearing will be held within, no less than, twenty-four (24) hours and no more than (7) working days
I waive the right to a Hearing _____ Yes _____ No _____

ACCUSED J. H. DELIVERING EMPLOYEE M. Davis DATE 1-27-22 TIME 1312
1. Investigation began within 24 hrs of violation? _____ Yes _____ No _____
2. Date/Time investigation completed 1/27/22 13:16 AM PM.

3. If not completed without reasonable delay, explain: _____
4. Name of Investigator M. Davis

5. Working days between date of violation and hearing _____
6. If more than seven (7) working days, explain: _____

Is accused offender in Trusty Status _____ Yes _____ No _____ Does accused offender receive Earned Time _____ Yes _____ No _____
Name of Persons at Hearing - Accused _____ Hearing Officer _____

Other _____
Accused's response _____ Admit _____ Admit w/ modifications _____ Deny _____ Accused's Statement _____

Documents read and discussed _____ RVR _____ Investigation _____ Witness Statements _____ Other _____

FINDINGS: _____ Guilty _____ Not Guilty _____ Reason for Findings: _____

PUNISHMENT: _____
Reason (s) _____ Seriousness of offense _____ The need to protect the institution, employees or others _____ Poor conduct record _____

Other _____
A total of _____ Rule Violations in _____ A total of _____ Rule Violations for Rule # _____

Signature: _____ Date: _____

Appeal may be filed within 15 days with Legal Claims Adjudicator, c/o ARP, P.O. Box 609, Parchman, MS. 38738, after receipt of the Disciplinary decision.


Offender Signature: _____ Date: _____

Signature of Reviewing Superintendent/Warden/CSD/Designee: _____ Date: _____

Custody Reduction _____ to _____ Date _____ Signature _____
Due to guilty finding on the RVR, offender is ineligible to continue to receive Trusty Earned Time/Remove from Trusty Status/ Trusty Earned Time effective _____ Signature _____

Approved _____ Disapproved _____
Director of Corrections or Designee _____

Exhibit # 14

	MISSISSIPPI DEPARTMENT OF CORRECTIONS		SOP NUMBER 18-02-01
			INSTITUTIONS
OFFENDER DRUG TESTING			INITIAL DATE 09-01-2008
ACA STANDARDS:			EFFECTIVE DATE 10-01-2013
STATUTES:		NON-RESTRICTED	PAGE 1 of 8

APPLICABILITY:

This procedure applies to all offenders incarcerated by the Mississippi Department of Corrections (MDOC) and employees responsible for the offender drug testing process.

POLICY:

It is the policy of the Mississippi Department of Corrections to control unauthorized use and abuse of illegal substances and drugs by conducting offender drug tests.

DEFINITIONS:

Indelible Ink – Ink that is impossible to remove, rub out, wash out, or alter.

Chain of Custody – A legal term that refers to the ability to trace and safeguard the specimen from the time it is donated through all the steps in the process from collection to reporting the results.

Illicit Drug – Any controlled substance or prescription medication used unlawfully.

Sensitive Placement – An offender's job assignment or workplace that requires the offender to have integrity and exhibit responsibility. Offenders may be housed outside the institution and work on outside details with minimum supervision while living in a community setting. Offenders housed within the institution may have contact with the general public and require minimum supervision.

Specimen – Sample of urine taken from an offender sufficient to conduct a urinalysis.

Urinalysis – The testing of a urine specimen.

Fluid Drug Screen – The testing of oral fluid.

Reasonable Belief – Judgment based on specific objective facts and reasonable conclusions drawn in light of experience, training, and education.

PRECEPTS:**Targeted Testing**

The Commissioner or Deputy Commissioner of Institutions or designee(s) may authorize Targeted Testing. Such testing will normally be performed under the following circumstances:

- An offender is being considered for placement in a community facility based program
- Required by Court Order

TITLE: OFFENDER DRUG TESTING		SOP NUMBER 18-02-01
EFFECTIVE DATE: 10-01-2013	NON-RESTRICTED	PAGE 3 of 8

Notification of Positive Drug Test for RID Offenders

The staff member conducting the urinalysis is responsible for notifying the Central Mississippi Correctional Facility (CMCF) Warden and the Assistant Director of Offender Services (ADOS) in charge of admission of any positive test for RID offenders.

If the offender tests positive on his initial arrival, the Assistant Director of Offender Services in charge of admission will immediately notify the sentencing judge and the designated family contact in writing of the delay in the offender entering the RID program.

If the offender tests positive on a random drug test, the staff member conducting the urinalysis will issue him/her a RVR.

The Disciplinary Hearing Officer will hear the RVR and impose the appropriate disciplinary sanctions for offenders testing positive for alcohol/drugs.

If the offender is reclassified to the general population, the Assistant Director of Offender Services in charge of admissions will be notified.

The ADOS will contact the Judge with the disposition of the Disciplinary Hearing Officer and if necessary, the State Classification Hearing Officer. It will be noted in the letter to the Judge that the offender tested positive after testing negative upon arrival at the MDOC R&C Center.

The sentencing judge will make the final disposition of the RID offender's status.

Reasonable Suspicion Test

This test is conducted if there is reasonable suspicion that an offender is using alcohol or drugs. Offenders may be tested at any time for reasonable suspicion.

Reasonable suspicion will be noted on the Urinalysis Chain of Custody form and signed by the suspecting officer and the officer's supervisor.

Random Testing

An offender may be ordered to submit a urine specimen as part of the random drug testing program. Each Facility's Controlling Authority will ensure that, at a minimum, 15% of all offenders assigned to the facility are tested on a random basis each month.

An offender on dialysis may be ordered to submit oral fluid as part of the random drug testing program.

The MDOC Management Information Systems staff will generate this list within Offendertrak and ensure that the random list constitutes 15% of the facility's population.

Consecutive tests of the same offender may be conducted if his/her name appears on the appropriate computer-generated random list.

TITLE: OFFENDER DRUG TESTING		SOP NUMBER 18-02-01
EFFECTIVE DATE: 10-01-2013	NON-RESTRICTED	PAGE 5 of 8

This information will be typed or legibly written in indelible ink and match the information on the Urinalysis Chain of Custody Form. The offender will be asked to acknowledge that the information on the container/lid is correct.

The offender will also be asked if he/she has been taking any medication in the past three weeks, and the response will be noted on the Urinalysis Chain of Custody form. If the offender's response is "yes" and the subsequent test results are positive, an inquiry will be made to Medical Personnel for prescription verification as to what medications the offender has received in the past three weeks.

The collection and testing of a urine specimen will be conducted by two (2) staff members of the same gender as the offender being tested. One staff member will be the witness and the other will be the tester. The staff member witnessing the collection will:

- Supervise one offender at a time
- Continuously observe (witness) the production of the urine specimen into the container
- Keep the specimen in full view of the offender at all times prior to placing the lid on it and labeling it
- Close up the bottle containing the specimen

The staff member performing the test will test the sample according to the vendor specifications.

If the test is negative, the staff member performing the test will dispose of the urine in a toilet and the container in a waste receptacle for biohazardous material.

If the test is positive, the staff member will take a photograph of the lid showing the offender's name and number and the positive results.

The staff member will record the personal observation of the specimen collection and subsequent test results on the Urinalysis Chain of Custody Form.

If an offender refuses to sign the Urinalysis Chain of Custody Form, two (2) staff members will sign as witnesses.

The staff member performing the test will dispose of the urine in a toilet and the container in a waste receptacle for biohazardous material.

The offender will be issued a RVR in accordance with MDOC procedure 18-01-01, Disciplinary Procedures. A copy of the chain of custody form and the photo of the lid's test results will be attached to the RVR for the Disciplinary Hearing Officer.

Collecting the Oral Fluid Specimen

The staff member responsible for collecting the oral specimen will:

- Instruct the donor not to eat, drink, smoke or chew tobacco products at least 10 minutes prior to the administration of the test.
- Confirm the offender's identity by inspecting the offender's photo identification card.

TITLE: OFFENDER DRUG TESTING		SOP NUMBER 18-02-01
EFFECTIVE DATE: 10-01-2013	NON-RESTRICTED	PAGE 7 of 8

285 If the test is positive, the staff member will take a photograph of the device showing the
 286 offender's name and number and the positive results.

287
 288 The staff member will record the personal observation of the specimen collection and
 289 subsequent test results on the Chain of Custody Form.

290
 291 If an offender refuses to sign the Chain of Custody Form, two (2) staff members will sign as
 292 witnesses.

293
 294 The offender will be issued a RVR in accordance with MDOC procedure 18-01-01, Disciplinary
 295 Procedures. A copy of the Chain of Custody form and the photo of the device's test results will
 296 be attached to the RVR for the Disciplinary Hearing Officer.

297 298 Refusal to Provide Sample

299
 300 An offender who refuses to submit a urine specimen/oral fluid as ordered will be written a RVR
 301 for refusing or failing to submit to a urinalysis test in accordance with MDOC procedure 18-01-
 302 01, Disciplinary Procedures.

303
 304 If the offender claims he/she is unable to provide a urine specimen immediately, he/she will be
 305 detained for observation. An offender who is unable to provide a urine specimen after four (4)
 306 hours will be considered to have refused or failed to submit to a urinalysis test. If the offender
 307 refuses or is unable to submit a urine specimen within four (4) hours, this fact will be noted on
 308 the Urinalysis Chain of Custody form.

309 310 Training

311
 312 All staff members involved in the taking of urine or fluid samples will be trained in these
 313 procedures before any drug testing of an offender is conducted. The vendor supplying the
 314 testing material or a certified staff member will conduct training.

315 316 Sanctions for Positive Drug Tests

317
 318 MDOC applies serious responses to positive drug tests. Offenders who test positive, whether in
 319 a drug program or not, meet with sanctions by the appropriate authorities.

320
 321 The Disciplinary Hearing Officer may impose sanctions based on the severity and repetition of
 322 the offense. Such sanctions will include those identified in MDOC procedure 18-01-01,
 323 Disciplinary Procedures.

324 325 Sanctions for Offenders in the RID Program

326
 327 If an active RID participant tests positive, a Rule Violation Report will be issued. He may be
 328 referred to a Termination Hearing Committee that consists of a Case Manager, a treatment
 329 person, and a security person. They will make a recommendation to the RID Director regarding
 330 whether the offender should stay in the program.

331
 332 If the Termination Hearing Committee recommends terminating the offender from the program,
 333 a Classification Hearing Officer will meet and reclassify the offender. See MDOC procedure on
 334 Disciplinary Procedures.

Exhibit #15

**MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program**

WCCF-22-126


SECOND STEP RESPONSE FORM

You must respond to the inmate within 45 days of receipt of the appeal of the First Step Response.

Inmate's Name & #: **Jason Holloway #M0998**
Location: **Wilkinson County Correctional Facility**

From: **D. Vannoy**
Title: **Warden**

In response to your ARP claim. In reference to you requesting the drug testing policy S.O.P. #18-02-01 (MDOC Policy) be followed at all times when doing drug testing. The information gathered reveals according to Sgt. Hall he is following guidelines and procedure of policy 18-02-01. You have not provided any evidence to show where policy is not being followed. I consider this matter resolved at this level.




Signature

4/18/22

Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program at WCCF under extraordinary circumstances and is eligible to seek judicial review in state or federal court within 30 days of receipt of the Second Step Response. Financial responsibility for such filing rests with the inmate.



Inmate's Signature


M0998

DOC #

4-20-22

Date

Exhibit # 16

 MISSISSIPPI DEPARTMENT OF CORRECTIONS	SOP NUMBER 18-01-01
	AGENCY WIDE
DISCIPLINARY PROCEDURES	INITIAL DATE 10-01-1997
ACA STANDARDS: 5-ACI-3C-01 thru 5-ACI-3C-23, 4-ACRS-3A-01 thru 4-ACRS-3A-03, 4-ACRS-6C-01 thru 4-ACRS-6C-04	EFFECTIVE DATE 12-01-2021
STATUTES: 47-5-99, 47-5-104, 47-5-801	NON-RESTRICTED
PAGE 1 of 20	

APPLICABILITY:

This procedure applies to all offenders incarcerated by the Mississippi Department of Corrections (MDOC) and employees participating in the disciplinary process.

The provisions of this standard operating procedure will apply retroactively.

POLICY STATEMENT:

It is the policy of the Mississippi Department of Corrections (MDOC) to discipline all offenders who commit and/or participate in prohibited activities.

DEFINITIONS:

Administrative Remedy Program – A program by which an offender may request administrative remedy for situations arising from policies, conditions or events within MDOC that affect them personally.

Criminal Violations – Any incident in which an offender allegedly commits an act covered by criminal law.

Disciplinary Hearing – An impartial classification hearing composed of a Disciplinary Hearing Officer or staff member whose name appears on the Executive Order approved by the Commissioner.

Disciplinary Hearing Officer – Staff member whose name appears on the Executive Order approved by the Commissioner who will hear all pertinent information surrounding an alleged rule violation and base their final decision if some evidence presented at the hearing indicates the underlying action(s) occurred.

Informal Resolution – Resolution of a minor rule infraction at the unit level.

Rule Violation – An act or omission of an act contrary to the rules and regulations of MDOC, laws of the State of Mississippi, or the United States.

Rule Violation Report (RVR) – A report that will include the violation charge, essential facts supporting the alleged violation, processing action taken (including requests for investigation and lists of requested witnesses), findings and disciplinary action taken (if any). The reporting form will be configured so that proper distribution can be made with the original becoming part of the offender's permanent MDOC record.

Inappropriate Sexual Behavior – Seductive or obscene acts that include unwelcome touching, or masturbation.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 2 of 20

Inappropriate Sexual Behavior with Another Person – Seductive or obscene acts that include intimate touching, penetration of another's body cavity, and include homosexual and heterosexual activity.

Physical Action – Any use of force; act of fighting, hitting, kicking, shoving, pushing, biting, or other similar type of physical contact; or throwing, squirting or spitting any item, substance or fluid.

Riot – To incite, instigate, organize, plan, cause, aid, abet, assist or take part in any disorder, disturbance, strike, or other organized disobedience to the rules of the facility.

Serious Physical Injury – Means an injury requiring more than basic first aid.

Sexual Assault – Non-consensual intimate physical contact with another person that may include an attempt or threat of physical violence.

Unauthorized Communication – Any form of communication not allowed by any posted or published rule, including inducing personnel to carry items into or out of the institution, using a staff telephone or communicating with another inmate in a different housing status.

Dangerous Contraband – A firearm, knife, other weapon, device or instrument, material or substance that is readily capable of causing or inducing fear of death or serious physical injury.

Some Evidence – Whether any evidence at all supports the action taken by prison officials.

Tobacco Product – Any product that contains tobacco, the prepared leaves of any plant belonging to the nicotine family, which will include, but not limited to cigarettes, loose tobacco, cigar, snuff, chewing tobacco, or any other preparation of tobacco, tobacco substitutes, smoking paraphernalia (i.e., matches, lighter, cigarette papers) and all other items developed and processed for the primary purpose of facilitating the use or possession of tobacco or tobacco-related products as well as packaging material. Packaging material includes, but not limited to snuff or cigarette containers. tobacco product does not include pharmacological aids (i.e., patch, inhaler, or lozenges) for smoking cessation.

Electronic Cigarette/Vaporizers – An electrical device(s) that simulates the act of tobacco smoking by producing an inhaled vapor bearing the physical sensation, appearance, and may contain nicotine. The liquid is heated to create an aerosol that the user inhales.

PROCEDURES:

Adult Community Residential Services: Facility rules and regulations are reviewed at least annually and updated, if necessary [4-ACRS-3A-02].

Adult Correctional Institutions: There is a written set of disciplinary procedures governing inmate rule violations [5-ACI-3C-02].

Adult Community Residential Services: All program rules and regulations pertaining to offenders are conspicuously posted in the facility or included in a handbook that is accessible to all offenders and staff [4-ACRS-3A-03].

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 3 of 20

Adult Correctional Institutions: A rulebook that contains all chargeable offenses, ranges of penalties, and disciplinary procedures is given to each inmate and staff member and is translated into those languages spoken by significant numbers of inmates. Signed acknowledgement of receipt of the rulebook is maintained in the inmate's file. When a literacy or language problem prevents an inmate from understanding the rulebook, a staff member or translator assists the inmate in understanding the rules [5-ACI-3C-03].

Adult Community Residential Services: There is a process for informal resolution of minor infractions of facility rules [4-ACRS-6C-01].

Adult Correctional Institutions: There are written guidelines for resolving minor inmate infractions, which include a written statement of the rule violated and a hearing and decision within seven days, excluding weekends and holidays, by a person not involved in the rule violation; inmates may waive their appearance at the hearing [5-ACI-3C-05].

Informal Resolution Process

An Informal Resolution of a minor violation requires prompt yet fair disposition and agreement between the accused offender and a staff member (Correctional Supervisor or above).

The Informal Resolution is designed to reduce paperwork and to enable the offender to avoid a recorded entry of disciplinary action.

Informal Resolutions will not be used in cases involving violence or physical aggression.

To accomplish the Informal Resolution action the accused offender will be escorted to the appropriate authority, the charges will be verbally related, and a decision will be made by the appropriate authority as to whether the violation merits action.

Upon agreement, an Informal Resolution form will be completed. The Informal Resolution form will include, but not be limited to the following information, as applicable:

- Offender's name, number, housing unit, zone/tier, cell/bed
- Date and time
- Location of incident
- Specific rule violated
- A formal statement of the charge
- Any unusual offender behavior
- Any staff witnesses
- Any physical evidence and its disposition
- Reporting staff member's name
- Hearing Officer's signature and date
- Accused offender's signature, unless refused
- Punishment

An informal meeting will be held with the accused offender and a decision made within seven (7) days, excluding weekends and holidays.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 4 of 20

The accused offender may waive the meeting by notifying the appropriate authority and completing a waiver form. The accused offender must sign and agree to the imposed penalty.

The following penalties may be imposed:

- Counseling with or without a reprimand
- Assignment of extra duty, not to exceed 16 hours (0-16 max)
- Temporary suspension of privileges, not to exceed seven (7) days (0-7 max)
- Loss of two (2) visiting days, depending upon the custody level of offender (no offender will lose more than four (4) consecutive visiting days at any one time)

The completed Informal Resolution form is placed in the accused offender's unit/working file for future reference. When an offender is found guilty of an informal resolution and loss of privileges is imposed with a beginning/ending date for punishment, copies should be forwarded to:

- Case Manager
- Canteen Manager
- Telecommunications Department
- Visitation Department

If the accused offender disagrees with the Informal Resolution, then a Formal Resolution will be prepared and forwarded to the Facility Disciplinary Authority.

Restrictions

Informal Resolution action will not be capricious or in the nature of retaliation or revenge. Corporal punishment of any kind is strictly prohibited.

Informal Resolution actions are **NOT** subject to the Administrative Remedy Program.

Changes and Recommendations

These procedures will not be deviated from for any reason. These procedures will also be reviewed annually for soundness and validity and to incorporate any changes deemed necessary.

Formal Resolution Process

Adult Community Residential Services: An offender charged with a major rule violation receives a written statement of the alleged violation(s), including a description of the incident and specific rules violated [4-ACRS-6C-02].

Adult Correctional Institutions: Written policy, procedure, and practice provide that when rule violations require formal resolution, staff members prepare a disciplinary report and forward it to the designated supervisor [5-ACI-3C-07].

Adult Correctional Institutions: Disciplinary reports prepared by staff members include, but are not limited to, the following information:

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 5 of 20

- 191 • specific rule(s) violated
- 192 • a formal statement of the charge
- 193 • any unusual inmate behavior
- 194 • any staff witnesses
- 195 • any physical evidence and its disposition
- 196 • any immediate action taken, including the use of force
- 197 • reporting staff member's signature and date and time of report [5-ACI-3C-08].

198
199 Additional information for disciplinary reports includes:

- 200
- 201 • Pin number (if applicable)
- 202 • Offender's name, number, housing unit, zone/tier, cell/bed
- 203 • Location of incident
- 204 • Weapon involved
- 205 • Offender's signature and date unless refused
- 206 • Indication of requested investigation, witnesses, if any, and if accused inmate chose to
- 207 waive hearing rights
- 208 • Delivering officer's name, signature, date, and time RVR was delivered to the offender

209 210 Preparation of RVR

211
212 An offender may be issued a RVR if he/she:

- 213
- 214 a) Attempts to commit a rule violation
- 215 b) Solicits another or others to commit the rule violation
- 216 c) Conspires with another or others to commit the rule violation
- 217 d) Aids the action of another or others in committing the rule violation

218
219 As soon as reasonably possible after discovery that the aforementioned has occurred or a
220 violation has been committed, the officer who witnesses or any employee having knowledge of
221 the incident will prepare the RVR.

222
223 All rule violation reports will be legible to the extent possible under the circumstances.

224 225 Delivery of RVR to Offender

226
227 The first copy of the RVR will be delivered to the accused offender within twenty-four (24)
228 hours of the time the violation is discovered.

229
230 If the offender refuses to sign for delivery of the RVR, two (2) staff members must witness the
231 refusal.

232
233 The delivering employee will also document the offender's request for investigation, list
234 witnesses on the RVR and indicate whether the offender wishes to waive his/her hearing.

235
236 Two (2) staff members must witness the offender's wishes to waive his/her rights to a hearing.

237
238 This must be done whether the offender signs or refuses to sign for delivery of the RVR.
239 Record of delivery will be made on the RVR showing date, time, and who delivered the copy.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 6 of 20

Adult Correctional Institutions: Written policy, procedure, and practice provide that an inmate charged with a rule violation receives a written statement of the charge(s), including a description of the incident and specific rules violated. The inmate is given the statement at the same time that the disciplinary report is filed with the disciplinary committee but no less than 24 hours prior to the disciplinary hearing. The hearing may be held within 24 hours with the inmate's written consent [5-ACI-3C-11].

Indication should be made on the RVR if the offender was placed in Administrative Segregation pending disciplinary hearing.

After all essential information has been recorded by the reporting employee, the RVR will be reviewed by the Unit Administrator or designee for completeness and to ensure the incident could not be handled by Informal Resolution.

If approved, the Unit Administrator or designee will initial the top left corner of the RVR, enter a Pending RVR Alert in Offendertrak, and immediately forward the RVR to the Facility Disciplinary Authority or designee.

Pre-Hearing Status

Adult Correctional Institutions: Within the disciplinary procedures document there is provision for prehearing detention of inmates who are charged with a rule violation. The inmate's pre-hearing status is reviewed by the warden/superintendent or designee within 72 hours, including weekends and holidays [5-ACI-3C-10].

Refer to procedures for Offender Segregation, 19-01-01.

Investigation

Adult Correctional Institutions: Written policy, procedure, and practice specify that, when an alleged rule violation is reported, an appropriate investigation is begun within 24 hours of the time the violation is reported and is completed without reasonable delay, unless there are exceptional circumstances for delaying the investigation [5-ACI-3C-09].

The Disciplinary Investigator will begin an investigation within 24 hours of the time the rule violation is reported and will complete it without reasonable delay, unless there are exceptional circumstances. (Refer to the Investigation Guide and Incident Investigation Form)

Exceptional circumstances for delaying an investigation may include, but not be limited to the following:

- The accused offender is not available to give a statement (i.e., medical reason, away from facility)
- Other offender witnesses are not available to give statements for the same reasons
- Staff witnesses are not available to give statements
- Inclement weather conditions
- Institutional emergency
- Any extraordinary circumstances approved, in writing, by the Superintendent/Community Corrections Director

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 7 of 20

Note: Such exceptions will be noted in the completed investigation package.

The Superintendent/Community Corrections Director or designee will approve such exceptions in writing.

The investigation will be commenced regardless if the offender requests it or not.

Investigator

- The Disciplinary Investigator will not be the same staff as the staff that reported the incident or wrote the RVR.
- The Disciplinary Investigator will be neutral and unbiased in conducting interviews and gathering information.
- In seeking the truth, the Disciplinary Investigator will interview the accused and any other persons considered having pertinent information.
- The Disciplinary Investigator will provide factual information, and will have access to all information concerning the offender's act of misbehavior and will receive cooperation from all personnel.
- Any staff member called as a witness will not refuse to give a statement.
- The Disciplinary Investigator will be subject to call any witness to appear at the hearing.
- The Disciplinary Investigator will indicate the offender's current job assignment and any educational programs.

Witnesses

The offender charged with a rule violation will be allowed to present documentary evidence and call defense witnesses unless:

- Permitting offender to do so will be unduly hazardous to institutional safety and security.
- Witness was not present when the violation occurred or has no firsthand knowledge of the incident, or investigation discloses that the called witness's testimony would be repetitive of all other called witnesses. In such cases, the accused will be permitted to select no more than two (2) witnesses.

If the witness is not readily available for the hearing due to being away from the facility/housing unit where the RVR is being heard, a statement may be obtained by the investigator to be used in place of the witness's personal appearance. The investigator may obtain a transcribed statement over the telephone.

Adult Correctional Institutions: Written policy, procedure, and practice provide that inmates charged with rule violations are present at their hearings unless they waive that right in

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 8 of 20

338 writing or through their behavior. Inmates may be excluded during the testimony of any
339 inmate whose testimony must be given in confidence; the reasons for the inmate's
340 absence or exclusion are documented [5-ACI-3C-16].

341
342 At the discretion of the Hearing Officer, private testimony may be taken whenever it is
343 determined that revealing the identity of the witness may subject him to personal danger.
344 Reasons for the witness's exclusion or absence will be documented and the accused offender
345 will be notified.

346
347 Questions may be asked of any witness called to the meeting.

348 349 Disciplinary Hearing

350
351 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that
352 disciplinary hearings on rule violations are conducted by an impartial person or panel of
353 persons. A record of the proceedings is made and maintained for at least six months [5-
354 ACI-3C-15].

355
356 Refer to the Rule Violation Report (RVR) Hearing Script.

357
358 The Hearing Officer will hear all pertinent information surrounding an alleged rule violation.

359
360 The Hearing Officer will question the accused offender, witnesses and any other person
361 appearing at the hearing.

362
363 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that inmates
364 have an opportunity to make a statement and present documentary evidence at the
365 hearing and can request witnesses on their behalf; the reasons for denying such a
366 request are stated in writing [5-ACI-3C-17].

367
368 The Hearing Officer will exercise control of all questioning to prevent harassment, abuse,
369 repetition, deficiency of relevancy, and to maintain order.

370
371 The accused, any witnesses and the accuser, if present, may be excused from the hearing
372 during deliberation.

373
374 *Adult Correctional Institutions:* Written policy, procedure, and practice provide that the
375 disciplinary committee's decision is based solely on information obtained in the hearing
376 process, including staff reports, the statements of the inmate charged, and evidence
377 derived from witnesses and documents [5-ACI-3C-19].

378
379 The RVR will be affirmed if some evidence indicates the underlying action(s) occurred.

380
381 The RVR itself may be used as the sole basis for the Hearing Officer's decision.

382
383 The Hearing Officer will render a fair and just punishment for a factual finding and must sign
384 his/her name to each RVR.

385
386 A copy of written findings will be given to the offender as soon as reasonably possible after the
387 hearing.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 9 of 20

The accused will be advised of his appeal rights.

Adult Correctional Institutions: Written policy, procedure, and practice provide that an inmate may waive the right to a hearing provided that the waiver is documented and reviewed by the chief executive officer or designee [5-ACI-3C-12].

An offender may waive the right to a hearing, provided the waiver will be documented and reviewed by the Superintendent, Warden or designee and/or Community Corrections Director or designee.

Adult Correctional Institutions: Written policy, procedure, and practice provide that a written record is made of the decision and the supporting reasons, and that a copy is given to the inmate. The hearing record and supporting documents are kept in the inmate's file and in the disciplinary committee's records [5-ACI-3C-20].

The hearing will be recorded and a record of the proceedings will be maintained for a minimum of three (3) years.

If an offender is transferred to another facility prior to a disciplinary hearing, the RVR will be immediately forwarded to the Superintendent, Warden or Community Corrections Director of the receiving facility, who will ensure that it is processed.

Adult Correctional Institutions: Written policy, procedure, and practice provide for review of all disciplinary hearings and dispositions by the warden/superintendent or designee to assure conformity with policy and regulations [5-ACI-3C-22].

All completed RVR's will be forwarded to the Warden/Community Corrections Director or designee for review.

Timelines of Disciplinary Hearing

Adult Correctional Institutions: Written policy, procedure, and practice provide that inmates charged with rule violations are scheduled for a hearing as soon as practicable but no later than seven days, excluding weekends and holidays, after being charged with a violation. Inmates are notified of the time and place of the hearing at least 24 hours in advance of the hearing [5-ACI-3C-13].

The Hearing Officer will conduct the disciplinary hearing within seven (7) working days after the violation occurred. If more than seven (7) working days have elapsed, a written explanation must be included.

Adult Correctional Institutions: Written policy, procedure, and practice provide for postponement or continuance of the disciplinary hearing for a reasonable period and good cause [5-ACI-3C-14].

This must be documented on the RVR.

Rights of the Accused

The accused must be present at the hearing unless he refuses to appear or use of force would

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 10 of 20

be required to enforce attendance. In this case, the hearing will continue in his absence. The reason for the offender's exclusion or absence will be documented on the RVR form and entered into the record during the hearing. No absentia hearing will be held when the offender is mentally disturbed to such extent that meaningful participation would be precluded, or when the offender is an escapee-at-large.

Established time frames and procedural requirements listed in this standard operating procedure are advisory guidelines and do not constitute a due process right to the offender.

The Agency's failure to abide by the time frames and procedural requirements will not be a basis for dismissal of the RVR.

Adult Correctional Institutions: Written policy, procedure, and practice provide that a staff member or agency representative assists inmates at disciplinary hearings if requested. A representative is appointed when it is apparent that an inmate is not capable of collecting and presenting evidence effectively on his or her own behalf [5-ACI-3C-18].

Disposition and Penalties

The Disciplinary Hearing Officer will consider the seriousness of each incident/violation, to include those incidents/violations listed on the Intensive Supervision Program and Earned Release Certificate and the mental status of each offender when assessing punishment.

Adult Community Residential Services: The facility implements a system of a progressive discipline [4-ACRS-6C-04].

Adult Community Residential Services: Offender rules and disciplinary regulations describe violations, sanctions, and penalties [4-ACRS-3A-01].

Adult Correctional Institutions: Written rules of inmate conduct specify acts prohibited within the institution and penalties that can be imposed for various degrees of violation [5-ACI-3C-01].

Adult Correctional Institutions: All personnel who work with inmates receive sufficient training so that they are thoroughly familiar with the rules of inmate conduct, the rationale for the rules, and the sanctions available [5-ACI-3C-04].

All staff will receive training on the disciplinary procedures to include rules of inmate conduct, the rationale for the rules, and the sanctions available.

RULE VIOLATIONS

The Mississippi Department of Corrections has adopted the following categories of rule violations:

Violation Category A (Minor Violations)

Rule Number	Rule Violation Description
A1	Littering

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 11 of 20

A2	Illegal possession of any item or quantities not on the allowable items list (Minor-Miscellaneous Contraband)
A3	Unauthorized removal of food or utensils from any food service area
A4	Faking illness or injury
A5	Failure to abide by any published institutional schedule or documented rules
A6	Violating the institutional dress code or grooming standards
Sanctions for Violation Category	
Reprimand and warning.	
Restriction of all privileges not to exceed one (1) month, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.	
Loss of privileged housing, job or meritorious living conditions.	
Restitution	
Recommend custody review	

483

Violation Category B (Serious Violations)

Rule Number	Rule Violation Description
B1	Improper or unauthorized use of state equipment or materials
B2	Interfering with an employee in the performance of their duty
B3	Refusing or failing to obey an order of staff
B4	Violation of mail, telephone, or visiting regulations
B5	Failure to clean bed area or pass bed area inspection
B6	Breaking or entering into another inmate's locker, room, cell or living unit
B7	Refusing or failing to carry out work assignment
B8	Physical action against another person where no physical injury has occurred, including horseplay
B9	Inflicting injury to self (Self-Mutilation)
B10	Tattooing or piercing self or others or allowing self to be tattooed or pierced
B11	Being in a restricted or unauthorized area
B12	Violating a condition of any outside work assignment
B13	Abusive, disrespectful, vulgar, obscene or threatening language, gestures or actions directed toward or about any person
B14	Lying to an employee
B15	Unauthorized communication with any member of the public, staff, or between inmates

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 12 of 20

B16	Disruptive behavior or disorderly conduct which threatens the orderly running of the facility
B17	Refusing or failing to submit to a drug urinalysis test (Refer to Special Circumstances 18.01.01 for punishment)
B18	Smuggling of contraband items into, out of, or within the institution
B19	Engaging in extortion or blackmail, bribery, loan sharking, collecting or incurring debt
B20	Refusing or failing to comply with institutional count or lockup procedures
B21	Nonviolent demonstration or inciting a nonviolent demonstration that may lead to a disruption of institutional operations
B22	Negligent or deliberate destruction, alteration or defacing of state, personal, or community property valued less than \$100
B23	Deliberately or negligently causing a fire
B24	Inappropriate sexual behavior with another person or indecent exposure (Masturbation)
B25	Gambling
B26	Stealing
B27	Making threatening or intimidating statements
B28	Refusing to submit to a search
B29	Pursuing or developing a relationship that is unrelated to correctional activities with a non-inmate (Fraternization)
B30	Possession of serious contraband to include but not limited to: <ul style="list-style-type: none"> • Money • State equipment or materials • Gang paraphernalia • Tobacco products (Not in canteen list-Includes the Use of Tobacco or accessories and electronic cigarettes) • Gambling paraphernalia • Stolen property less than \$100 • Tattoo or body-piercing paraphernalia Drug paraphernalia
B31	<ul style="list-style-type: none"> • Failure to abide by the "statement of conditions" of release for Earned Release Supervision, Medical Release or Intensive Supervision Program or 72 Hour Honorary Leave Agreement
B32	Absconding supervision from community supervision
B33	Giving or receiving anything of value to or from another
Sanctions for Violation Category	
Restriction of all privileges not to exceed one (1) month, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.	
Loss of privileged housing, job or meritorious living conditions.	
Restitution	

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 13 of 20

Recommend custody review
Assignment to disciplinary segregation for a maximum of twenty (20) days, each offense.
Upon a guilty finding, in addition to any other authorized sanction for this category of rule violations, the disciplinary hearing officer will recommend the following progressive disciplinary sanction:
<ul style="list-style-type: none"> • If an inmate has accumulated three (3) Category B rule violations within a six (6) month period, the offender will lose thirty (30) days of earned time. • Receiving a 4th RVR within a six (6) month period will result in an additional loss of sixty (60) days of earned time • Receiving a 5th RVR within a six (6) month period will result in an additional loss of ninety (90) days of earned time • In addition to all previous loss of earned time under Category B, upon receiving six (6) or more RVRs within a six (6) month period will result in the same sanctions listed under Category C Rule Violations

484

Violation Category C (Major Violations)

Rule Number	Rule Violation Description
C1	Negligently or deliberately destroying, altering or defacing of state, personal, or community property valued at \$100 or more
C2	Destroying or tampering with life safety equipment, locking or security devices
C3	Tampering with physical evidence or hindering an investigation
C4	Using mail to obtain money, goods or services by fraud
C5	Involvement in disruptive, assaultive, or criminal gang activity
C6	Escape
C7	Possession of major contraband to include but not limited to: <ul style="list-style-type: none"> • Firearms • Sharpened instrument or knife • Other objects capable of inflicting death • Tools • Explosives/ammunition • Medication (prescription, non-prescription) • Illegal drugs • Electronic devices or parts • Escape paraphernalia • Staff clothing or uniform related items • Stolen property over \$100 (Refer to Special Circumstances, 18.01.01)
C8	Assaultive action against any person or staff member resulting in serious physical injury

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 14 of 20

C9	Physical action resulting in the death or murder of any person
C10	Hostage taking
C11	Inciting to riot or rioting
C12	Arrest for criminal activity while on 72 Hour Leave
C13	Unauthorized use of drugs or intoxicants or testing positive for either (Refer to Special Circumstances 18.01.01 for punishment)
	Sanctions for Violation Category
Restitution	
Recommend custody review	
Assignment to disciplinary segregation for a maximum of twenty (20) days, each offense	
Restriction of privileges not to exceed two (2) months, excluding exercise periods. This will not exclude restriction from use of recreational facilities in the institution.	
Removal from 30/30 trusty status for a period of six (6) months (Only if offender is receiving 30/30 trusty status).	
If the offender does not receive 30/30 trusty status, the offender will lose 180 days of earned time (e.g., MET, TET, Earned Time).	
Loss of all earned time (Earned time is to be forfeited for escapees or aiding and abetting an escape pursuant to MCA 47-5-139)	
Suspension of visitation and commissary privileges for 18 months for offenders found guilty by a Disciplinary Hearing Officer of assaulting a staff member. Loss of all earned time and Trusty status	
Loss of 6 months Canteen and Visitation for Major Contraband C-7 – No exceptions	
If the RVR is a C8, the inmate will have his account frozen and will be liable for medical costs associated for the assaultive behavior. (Off-site medical \$1,500; onsite \$500)	

SPECIAL CIRCUMSTANCES

In addition to any other penalty or penalties which will be imposed the following actions will be taken:

- A second (2nd) sanction may be given for each serious or major violation as long as it is listed under the authorized sanction for that rule violation
- Time spent in pending disciplinary segregation (PDA) will be credited against any subsequent discipline imposed
- Objective Reclassification if warranted (Refer to Institutional Classification Handbook)
- Referral to District Attorney if warranted
- The first time a Community Work Center, County State Work Program, or Restitution Center offender tests positive or refuses to submit a urine sample, he/she will be referred to A&D (max 3 months). These offenders will not have their custody reduced or reclassified with the objective classification instrument.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 15 of 20

- Earned time is to be forfeited for escapees or aiding and abetting an escape pursuant to MCA 47-5-139.
- Offenders who receive a RVR for C-8, "Assaultive action again any person or staff member resulting in serious physical injury" and are found guilty by a Disciplinary Hearing Officer of assaulting a staff member, will have visitation and commissary privileges suspended for 18 months. Loss of all earned time and Trusty status.
- Offenders in Institutions, Private Prisons and County Regional Facilities who are charged with **possession of electronic devices or parts** will receive:
 1. Removal from trusty earned time for six (6) months if they are receiving 30/30 trusty time
 2. Loss of 180 days of trusty time if in 10/30 trusty status
 3. Loss of earned time up to 180 days if not in trusty status
- Offenders in Community Work Centers who are charged with **possession of electronic devices or parts** will receive:
 1. For the first RVR, removal from trusty status for a period of 6 months or loss of 180 days earned time
 2. For the second RVR, loss of honorary leave and suspension of visitation and commissary privileges for 18 months

MDOC may deviate from these advisory guidelines based on the severity of the offense, a history of offenses, and other factors.

Sanctions for youth housed in the Youthful Offender Unit (YOU) by Category

Category A (Minor Violations)

1. Verbal reprimand and warning
2. Reduction of maximum behavior points for that period
3. Loss of telephone, visitation, and store privileges earned through the Behavior Management Program
4. Reduction s to a lower privilege through the Behavior Management Program
5. Activity Restriction
6. Early Bed

Category B (Serious Violations)

1. Restitution
2. Extreme work detail
3. Isolation/segregations
4. Loss of Job, housing privileges
5. Activity Restriction
6. Reduction of Level or more than one level through the Behavior Management Program
7. Loss of visitation earned through the Behavior Management Program
8. Loss of telephone call earned through the Behavior Management Program.

Category C (Major Violations)

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 16 of 20

1. Restriction
2. Reduction of Positive Behavior Management Points
3. Reduction of Level of Behavior Management Program
4. Extensive Work Detail
5. Disciplinary Isolation
6. Major Sanction added to a serious sanction
7. Loss of one month of telephone calls earned through the Behavior Management Program

Evidence

Any and all evidence, with the exceptions referenced in policy 16-14, Preservation of Physical Evidence, accompanying a RVR will be recorded, labeled and stored securely at the Central Disciplinary Office. After the RVR is heard and the findings are known and unless further need for same, the evidence will be held ninety (90) days then destroyed in the following manner:

- All drugs or drug paraphernalia seized will be turned over to Corrections Investigation Division (CID)
- All recyclable metals and plastics will be turned over to the Property Office
- All sharp instruments (i.e., knives and shanks) will be turned over to the K-9 staff for destruction. **Note: Weapons used in assaults on staff and/or inmates will be remanded to CID**
- All paper, cloth and other miscellaneous items will be turned over to the Fire and Safety Inspector
- Cell phones and cell phone related accessories confiscated from offenders housed in Community Work Centers, Private Facilities and Regional Facilities are to be forwarded to the Corrections Investigation Division (CID) Office located at the Central Office. Items confiscated at the State Institutions are to be forwarded to the Institutional CID Office. The confiscated items along with the appropriate documentation for each item are to be forwarded immediately or after final disciplinary action. Any item needed for criminal prosecution should be forwarded upon completion of prosecution unless otherwise directed by the prosecutor.

Offender Not Guilty/Dismissed

Adult Correctional Institutions: Written policy, procedure, and practice provide that if an inmate is found not guilty of an alleged rule violation, the disciplinary report is removed from all of the inmate's files [5-ACI-3C-21].

Assistance to an Offender in a Hearing

When it is apparent that an offender is not capable of effectively collecting and presenting evidence on his own, a representative will be appointed to assist the offender. The Superintendent or designee will make available representatives capable of assisting offenders in disciplinary hearings and filing appeals upon offender's request.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 17 of 20

Notification and Punishment

- The Institutional Hearing Officer (IHO) will log all RVR's and final dispositions on a daily basis.
- This log will be forwarded to the appropriate Warden/Community Corrections Director or designee and to appropriate departments prior to the conclusion of each workday.
- They will ensure the immediate imposition of punishment.

Disciplinary Hearing Docket

The responsible Disciplinary Hearing Officer will prepare a Disciplinary Hearing Docket for all daily scheduled offender disciplinary hearings. The docket will include for each offender:

- Date of hearing
- Name and MDOC number of the offender
- Housing and work/program assignment of the offender
- Rule violation number(s)
- Finding
- Recommended sanctions (if applicable)
- Name and title of the Disciplinary Hearing Officer

The Disciplinary Hearing Docket will be submitted to the responsible Associate Warden or designee at the conclusion of offender disciplinary hearings each day. A weekly rule violation pending log report will be submitted to the area warden.

Adult Community Residential Services: The facility's disciplinary process is defined and provides appropriate procedural safeguards, to include:

- Report of incident and charge
- Notice
- Time to prepare for hearing
- Assistance as needed
- Timely hearing
- Opportunity to present evidence
- Fair decision
- Written notice of decision
- Opportunity to appeal [4-ACRS-6C-03].

Appeals

Adult Correctional Institutions: Written policy, procedure, and practice grant inmates the right to appeal decisions of the disciplinary committee to the warden/superintendent or designee. Inmates have up to 15 days of receipt of the decision to submit an appeal. The appeal is decided within 30 days of its receipt, and the inmate is promptly notified in writing of the results [5-ACI-3C-23].

The offender may appeal the decision of the hearing officer by using the Administrative Remedy Program (ARP).

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 18 of 20

If the offender refuses to sign for the RVR, the RVR will be documented that the offender refused to sign. The offender will have fifteen (15) days to appeal the RVR decision.

RVR appeals will not be logged and set aside.

At the time of notification of a guilty finding in a disciplinary hearing, the inmate will be notified that he/she has the right to appeal any decision of, or disciplinary action taken by the Disciplinary Hearing Officer, directly to the Warden/Community Corrections Director or designee of the unit/center involved via the Legal Claims Adjudicator.

This notification will be documented by having the inmate sign the front of the RVR indicating that he/she understands the right to appeal.

If the inmate waives his/her right to appear and is found guilty, he/she cannot appeal the decision.

The appeal will be submitted in writing within fifteen (15) days after a copy of the Disciplinary Hearing Officer's decision is offered to the inmate and will set forth in detail the grounds for any appeal.

In the event the inmate is illiterate, at the request of the inmate, the inmate's case manager may assist him/her in writing the letter of appeal.

The Warden/Community Corrections Director or designee has thirty (30) calendar days from receipt of the appeal to respond.

During the appeal, the reviewer may affirm the action of the Disciplinary Hearing Officer or alter it as he/she deems just and proper except at no point in the appeal process will the penalty be increased.

If the offender is not satisfied, he/she may file suit in state or federal court. The offender must provide the ARP number on the court forms.

Criminal Violation

Adult Correctional Institutions: Written policy, procedure, and practice provide that, where an inmate allegedly commits an act covered by criminal law, the case is referred to appropriate court or law enforcement officials for consideration for prosecution [5-ACI-3C-06].

The Hearing Officer will forward a copy of any RVR considered felonious to the Corrections Investigation Division along with all relevant documents (i.e., Incident Reports, Use of Force Reports) concerning the violation for consideration of prosecution.

This will not interfere with processing the rule violation through the administrative disciplinary hearing by the Hearing Officer.

Restrictions

Disciplinary action will not be capricious or in the nature of retaliation or revenge. Corporal punishment of any kind is strictly prohibited.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 19 of 20

Rule Violation Report Filing

When an inmate is found guilty of a rule violation the original RVR and all supporting documentation attached to it will be placed in the inmate's permanent MDOC master file.

Procedure for Loss of Earned Time

1. Designated Disciplinary Staff and Associate Warden or designee (IHO) will enter the RVR and findings into Offendertrak within twenty-four (24) hours after the disciplinary hearing is conducted. This includes all punishment(s) with starting and ending dates for the imposed punishment. Hearings conducted on weekends/holidays will be entered no later than the next working day.
2. The designated staff person who enters the RVR, which resulted in loss of earned time, is responsible for forwarding the original RVR with all supporting documentation to the Commissioner or designee for final approval. At Regional facilities, the Warden is responsible for forwarding the RVR and the supporting documentation to the Commissioner or designee.
3. The Commissioner or designee will forward all approved Loss of Earned Time RVRs to MDOC Records Department in order to modify the entry into Offendertrak accordingly.

Procedures for Removal from Trusty Status

1. Designated Disciplinary Staff and Associate Warden or designee (IHO) will enter the RVR and findings into Offendertrak within twenty-four (24) hours after the disciplinary hearing is conducted. This includes all punishment(s) with starting and ending dates for the imposed punishment. Hearings conducted on weekends/holidays will be entered no later than the next working day.
2. Any rule violation that requires reclassification or removal from 30/30 trusty status will be delivered to the Associate Warden at state facilities the Classification Supervisor at private facilities, and the Warden at Regional facilities.
3. The Associate Warden, Classification Supervisor, or Warden will review and take the appropriate action by ensuring that a Staff Request is completed recommending the inmate be removed from Trusty Status. The rationale or justification and effective date for removal should be included on the Staff Request. The effective date for removal will be the date the inmate was found guilty of the rule violation.
4. The Associate Warden, Classification Supervisor, or Warden will review the Staff Request for its accuracy and forward it to the appropriate Assistant Director of Offender Services (ADOS).
5. Upon receiving the Staff Request, the ADOS will review and finalize the Staff Request within OffenderTrak.
6. Upon approval of the Staff Request, the ADOS will submit the Staff Request via the workflow inbox to the designated Records Staff.

TITLE: DISCIPLINARY PROCEDURES		SOP NUMBER 18-01-01
EFFECTIVE DATE: 12-01-2021	NON-RESTRICTED	PAGE 20 of 20

750

751

DOCUMENTS REQUIRED:

752

753

As required by this procedure and through the chain of command.

754

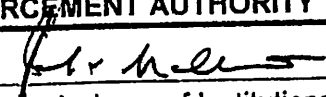
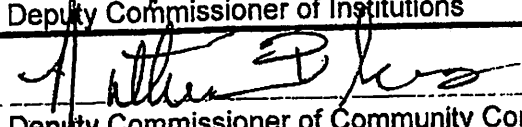
ENFORCEMENT AUTHORITY	
Reviewed and Approved for Issuance	 11-18-21 Deputy Commissioner of Institutions Date
	 11-29-21 Deputy Commissioner of Community Corrections Date

Exhibit # 17

ARP-2

MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program

WCCF-21-634

FIRST STEP RESPONSE FORM
For RVRs

You must return your response to the Legal Claims Adjudicator within 30 days of the date you signed for this request.

Offenders' Name and #: **Jason Holloway #M0998**
Unit: **Wilkinson County Correctional Facility**

1st Step Respondent: **D. Vannoy**
Title: **Warden**

In response to your ARP claim. In reference to your Rule Violations Report appeal. The information gathered reveals according to the reporting employee Sgt. Hall you tested positive for BUP 5 on your urine test and refused to submit to a urinalysis test on 7/16/2021. Your appeal is denied. RVR's #1939652 and #1939707 will not be expunged from your file. I consider this matter resolved at this level.

Signature

Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program for an RVR appeal and is eligible to seek judicial review within 30 days of receipt of this First Step Response.

Inmate's Signature

DOC #

Date

Exhibit # 18

ARP-2

**MISSISSIPPI DEPARTMENT OF CORRECTIONS
Administrative Remedy Program**

WCCF-22-89

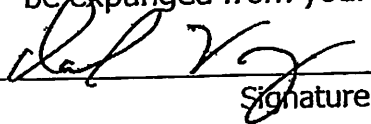
**FIRST STEP RESPONSE FORM
For RVRs**

You must return your response to the Legal Claims Adjudicator within 30 days of the date you signed for this request.

Offenders' Name and #: **Jason Holloway #M0998**
Unit: **Wilkinson County Correctional Facility**


1st Step Respondent: **D. Vannoy**
Title: **Warden**

In response to your ARP claim. In reference to your Rule Violation Report appeal. The information gathered reveals according to Sgt. Hall you refused to submit urine for a reasonable suspicion drug test. Your appeal is denied. RVR #2011878 will not be expunged from your file. I consider this matter resolved at this level.


Signature

2/28/22
Date

The above named inmate has fulfilled the requirements of the Administrative Remedy Program for an RVR appeal and is eligible to seek judicial review within 30 days of receipt of this First Step Response.

 M0998
Inmate's Signature DOC #

3-2-22
Date

In The United States District Court For
The Southern District of Mississippi

Jason Holloway

Plaintiff

vs

civil action No. 5:21-cv-63-KS-RHWK

Scott Middlebrooks et al

Defendants

Motion For The Appointment
Of Counsel

Plaintiff, Jason Holloway, pursuant to § 1915,
request this Court to appoint counsel to represent
him in this case for the following reasons.

1. The plaintiff is unable to afford counsel.
2. The issues involved in this case are complex.
3. The plaintiff, as a Protective Custody inmate, has extremely limited access to the law library.

pg 2 of 2

4. Over 30 days ago, the plaintiff wrote letters to three attorneys, Thom Glenn, Jacob Howard, and King & Spalding Law Firm, asking them to handle his case but he has not heard from any of them.
5. The plaintiff has a little limited knowledge of the law.

Where fore, this Honorable Court should appoint counsel to represent the plaintiff.

Respectfully Submitted,

Jason Holloway

8-31-22

Jason Holloway # M0998

WCCF E-207

P.O. Box 1889

Woodville, MS 39669

In The United States District Court For The
Southern District of Mississippi

Jason Holloway # M0998

Plaintiff

vs

civil action no. 5:21-cv-63-KS-RHWR

Scott Middlebrooks et al

Defendants

Declaration In Support of Plaintiff's
Motion For The Appointment of Counsel

Jason Holloway states:

1. I am the plaintiff in the above-entitled case. I make this declaration in support of my motion for this appointment of counsel.
2. The complaint in this case alleges that the plaintiff was denied his religion, denied adequate medical care, and denied due process. The plaintiff also is challenging the condition of his confinement.

3. This is a complex case because it contains several different legal claims, with each claim involving a different set of defendants.
4. This case involves medical issues that may require expert testimony.
5. The plaintiff has demanded a jury trial.
6. The case will require discovery of documents and depositions of a number of witnesses.
7. The testimony will be in sharp conflict on several of the issues raised by the plaintiff.
8. The plaintiff has only a GED and has very limited legal education.
9. The plaintiff is serving his sentence on Protective Custody. For this reason, he has very limited access to legal materials and has no ability to investigate the facts of the case, for example, by locating and

pg 3 of 3

interviewing other staff and inmate witnesses

10. As set forth in the Memorandum of Law submitted with this motion, these facts, along with the legal merit of plaintiff's Claims, support the appointment of counsel to represent the plaintiff.

Wherefore, the plaintiff's motion for appointment of counsel should be granted.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Signed this the 31 day of May, 2022.

Respectfully Submitted,
Jim Hany

Jason Holloway # M0998
WCCF E-207
P.O. Box 1889
Woodville, MS 39669

In The United States District Court For The
Southern District of Mississippi

Jason Holloway

Plaintiff

vs

civil action no. 5:21-cv-63-KS-RHWR

Scott Middlebrooks et al

Defendants

Memorandum of Law IN Support of
Plaintiff's Motion For The Appointment of Counsel

Statement of the Case

This is a civil rights case filed under 42 U.S.C.
§ 1983 by a state prisoner and asserting claims
for the unconstitutional denial of religion, denial
of due process, denial of adequate medical care and
conditions of confinement. The plaintiff seeks damages
as to all claims and injunction relief

Statement of Facts

The Complaint alleges that the plaintiff was denied the right to practice his religion, that he was denied due process at all of his disciplinary hearings, that he was denied adequate medical care, that staff failed to follow the doctors orders to his medical ordered diet and his conditions of confinement.

Argument

In deciding whether to appoint counsel for an indigent litigant, the court should consider "the factual complexity of the case, the ability of the indigent to investigate the facts, the existence of conflicting testimony, the ability of the indigent to present his claim and complexity of the legal issues." Ulmer v Chancellor 691 F.2d 209 (5th Cir 1982)

In addition, courts have suggested that the most important factor is whether the case appears to have merit. Carmona v U.S. Bureau of Prisons, 243 F.3d 629 (2nd Cir. 2001)

1. Factual Complexity. The plaintiff alleges that several

Staff at W.C.C.F. who are named defendants in this case violated several of the plaintiff's constitutional rights, by denying him to practice his religion, denied him adequate medical care, failed to follow the doctors orders of his medical ordered diet, denied him due process at his disciplinary hearings, and challenging his conditions of confinement. The sheer number of claims and defendants makes this a factually complex case.

In addition, one of the plaintiff's claims involve the denial of medical care; it will probably be necessary to present a medical expert witness or to cross-examine medical witnesses called by the defendants, or both. The presence of medical or other issues requiring expert testimony supports the appointment of counsel. Montgomery v Pinchak, 294 F.3d 492 (3rd Cir 2002); Moore v Mabius, 976 F.2d 268 (5th Cir 1992); Jackson v. County of McHenry, 953 F.2d 1070 (7th Cir 1992).

2. The plaintiff's ability to investigate. The plaintiff

is a Protective Custody inmate and has no ability to investigate the facts. For example, he is unable to identify, locate, and interview other inmates who were housed on the same zone as he is and have been moved to other facilities. He is in the same situation with regard to developing the facts from other staff members that no longer work at the facility, a factor that several courts have cited in appointing counsel.

Tucker v Randell, 948 F.2d 288 (7th Cir 1991); Gaston v Coughlin, 679 F.Supp. 270 (W.D.N.Y. 1988). In addition, this case will require considerable discovery concerning the identity of witnesses, the officers' reports and statements regarding the disciplinary hearings and the plaintiff's medical history. See Pacham v Johnson, 126 F.3d 454 (3rd Cir 1997) (holding counsel should have been appointed because "prisoner's lack of legal experience and the complex discovery rules clearly put him at a disadvantage in countering the defendants' discovery tactics ... these [discovery] rules prevented [the plaintiff] from presenting an effective case below.").

3. Conflicting Testimony. The plaintiff's account of all

the constitutional violations will be in great conflict with the testimony of the defendants. This aspect of the case will be a credibility contest between the defendants and the plaintiff (and such inmate and other witnesses as can be located). The existence of these credibility issues supports the appointment of counsel. Steele v Shah, 87 F.3d 1266 (11th Cir 1996); Gaston v Coughlin, 679 F.Supp. at 273.

4. The ability of the indigent to present his claim. The plaintiff is an indigent prisoner with no legal training, a factor that supports the appointment of counsel. Branch v Cole, 686 F.2d 264 (5th Cir 1982); Forbes v Edgar, 112 F.3d 262 (7th Cir 1997). In addition, he is confined to a zone as a Protective Custody inmate with very limited access to legal materials. Rayes v Johnson, 969 F.2d 700 (8th Cir 1992) (citing lack of ready access to a law library as a factor supporting the appointment of counsel).

5. Legal Complexity. The large number of defendants, some who are supervisory officials, presents complex

legal issues of determining which defendants were sufficiently personally involved in the constitutional violations to be held liable, Hendricks v Coughlin, 114 F3d 390 (2d Cir 1997).

6. Merit of the Case. The plaintiff's allegations, if proved, clearly would establish constitutional violations. The denial of religion in the complaint clearly states a 1st Amendment Claim.

The allegations of denial of medical care amount to deliberate indifference to prisoners medical needs, Estelle v Gamble, 429 U.S. 97 (1976). The unjustified denial of witnesses, conviction of a disciplinary offense with no supporting evidence, and the failure to give a meaningful statement of reasons for the decisions are all violations of clearly established due process principles. See Ponte v Real, 471 U.S. 491 (1985); Superintendent v Hill, 472 U.S. 445 (1985); Wolff v McDonnell, 418 U.S. 539 (1974). On its face, then, this is a meritorious case.

Conclusion

pg 7 of 7

For all the foregoing reasons mentioned herein,
the court should grant the plaintiff's motion AND
appoint counsel in this case.

Respectfully Submitted,

Jim Amy

5-31-22

Jason Holloway # MD998

W.C.C.F. E-207

P.O. Box 1889

Woodville, MS 39669